



CABINET

Notice of a Meeting, to be held in the Council Chamber, Civic Centre, Ashford Borough Council, on Thursday, 10th October, 2019 at 7.00 pm.

The Members of the Cabinet are:-

Councillor Clarkson – Leader of the Council
Councillor Bartlett – Deputy Leader and Portfolio Holder for Legal and Democracy
Councillor Barrett – Portfolio Holder for Housing
Councillor Bell – Portfolio Holder for Finance and IT
Councillor Buchanan – Portfolio Holder for Environment and Land Management
Councillor Clokie – Portfolio Holder for Regeneration and Corporate Property
Councillor Feacey – Portfolio Holder for Culture, Tourism and Leisure
Councillor Gideon – Portfolio Holder for Community Safety and Wellbeing
Councillor Pickering – Portfolio Holder for Human Resources and Customer Services
Councillor Shorter – Portfolio Holder for Planning and Development

Agenda

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	<p>That pursuant to Section 100A(4) of the Local Government Act 1972 as amended the public be excluded from the meeting during consideration of the following item as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act.</p>	
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3 October 2019

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Declarations of Interest (see also “Advice to Members” below)

- (a) **Disclosable Pecuniary Interests (DPI)** under the Localism Act 2011, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares a DPI in relation to any item will need to leave the meeting for that item (unless a relevant Dispensation has been granted).

- (b) **Other Significant Interests (OSI)** under the Kent Code of Conduct as adopted by the Council on 19 July 2012, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares an OSI in relation to any item will need to leave the meeting before the debate and vote on that item (unless a relevant Dispensation has been granted). However, prior to leaving, the Member may address the Committee in the same way that a member of the public may do so.

- (c) **Voluntary Announcements of Other Interests** not required to be disclosed under (a) and (b), i.e. announcements made for transparency reasons alone, such as:

- Membership of outside bodies that have made representations on agenda items, or
- Where a Member knows a person involved, but does not have a close association with that person, or
- Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

[Note: an effect on the financial position of a Member, relative, close associate, employer, etc; OR an application made by a Member, relative, close associate, employer, etc, would both probably constitute either an OSI or in some cases a DPI].

Advice to Members on Declarations of Interest:

- (a) Government Guidance on DPI is available in DCLG’s Guide for Councillors, at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5962/2193362.pdf
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, and a copy can be found in the Constitution at <http://www.ashford.gov.uk/part-5---codes-and-protocols>
- (c) If any Councillor has any doubt about the existence or nature of any DPI or OSI which he/she may have in any item on this agenda, he/she should seek advice from the Corporate Director (Law and Governance) and Monitoring Officer or from other Solicitors in Legal and Democratic Services as early as possible, and in advance of the Meeting.

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Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **12th September 2019**

Present:

Cllr. Clarkson (Chairman);
Cllr. Bartlett (Vice-Chairman);

Cllrs. Barrett, Bell, Clokie, Feacey, Gideon, Shorter.

Apologies:

Cllrs. Buchanan, Pickering, Blanford, Harman.

Also Present:

Cllrs. Hayward, Krause, Sparks, C Suddards, Turner.

Chief Executive, Director of Finance and Economy, Head of Legal and Democracy, Head of Corporate Property and Projects, Head of HR and Customer Services, Head of Culture, Head of Community Safety and Wellbeing, Head of Planning and Development, Property and Asset Manager, Senior Policy and Scrutiny Officer, Commercial Development and Regeneration Officer, Senior Communications Officer, Member Services Manager (Operational).

124 Minutes

Resolved:

That the Minutes of the Meeting of the Cabinet held on the 11th July 2019 be approved and confirmed as a correct record.

125 Financial Monitoring – Quarterly Report

The Portfolio Holder introduced the report which presented the forecast outturn for 2019/20 (based on actual information to the end of July 2019). The report covered the performance and forecasts of the General Fund and the Housing Revenue Account, with commentary supporting key variances in the body of the report. The report also outlined actions considered by Management Team to mitigate current pressures on the General Fund and provided updates on large capital projects and the Council's treasury management activity.

The Deputy Leader asked if, in future reports, the tables on page 14 of this report could include reference to the loan to A Better Choice for Property Ltd.

In response to questions about the Council's borrowing, the Director of Finance and Economy advised that the outstanding Public Works Loans Board loans were kept under constant review in terms of if or when was the best time to refinance.

The Leader said that shrewd financial and treasury management was a hallmark of this Council and had been part of his thinking when instructing Finance to establish an Economic Resilience Reserve back in 2016, which had now grown to £2.9m.

Resolved:

- That (i) the forecast outturn position for the General Fund and the Housing Revenue Account be noted.**
- (ii) the Capital Monitoring and Treasury Management position be noted.**
- (iii) the contribution to support the Woodchurch Wagon, under delegated authority by the Head of Community Safety and Wellbeing, be noted.**

Recommended:

- That (i) delegated authority be given to the Head of Environment and Land Management to approve spend from the repairs and renewals reserve for operational equipment at Aspire.**
- (ii) delegated authority be given to the Chief Executive, in conjunction with the Leader of the Council, relevant Portfolio Holders, the S151 Officer and the Monitoring Officer, for the release of up to £500,000 of the Economic Resilience Reserve to support the letting of the Council's commercial property.**
- (iii) Stray Dog fees be set at £25 as per statutory requirements.**

126 Corporate Performance Report

The Portfolio Holder introduced the report which summarised performance against the Council's suite of Key Performance Indicators for Quarter 1 (1st April to 30th June 2019). It also provided an overview of key developments in the delivery of the Council's Corporate Plan priorities over the same period.

The Cabinet wished to thank the Senior Policy and Scrutiny Officer for his hard work in compiling this, and similar, reports over the years. He was now moving on to a new post at Medway Council and Members wanted to place on record their thanks and best wishes for the future.

Resolved:

That the performance data for Quarter 1 2019/20, as contained at Appendix 1 to the report, be received and noted.

127 Corporate Commercial Property – Annual Report

The Portfolio Holder introduced the report which advised of the income generated by the Council's Corporate Property Portfolio for the financial year ending March 2019. This revenue, shown at Appendix 1 to the report, significantly contributed to the Council's income. It also advised that the Council was constantly exploring both ways to make the existing portfolio more profitable, and additional investment opportunities and included an update on work done in this regard.

Resolved:

- That (i) **the revenue performance of the Council's Corporate Property Portfolio during the previous 12 months, as provided for in the Corporate Property Income Schedule at Appendix 1 to the report, be noted.**
- (ii) **the work undertaken to increase profitability and investment activity during the previous twelve months and going forward, be noted.**

128 Animal Licensing Policy

The Portfolio Holder introduced the report which presented a new Animal Activity Licensing Policy. She explained that this reflected legislative changes that came into force on the 1st October 2018 and guidance from DEFRA.

In response to questions it was advised that the policy related to the licensing system for a number of animal activities such as: - dog breeding; pet shops; riding establishments; animal boarding establishments; animal exhibition; zoos; and dangerous wild animals. The policy did not currently apply to rescue centres or charities but the Deputy Leader asked if this aspect could be kept under review.

Recommended:

That the draft Animal Licensing Policy be adopted by the Council.

129 Section 106 Agreements – Annual Monitoring Report 2018/19

The report provided an opportunity to demonstrate how contributions were being collected and applied in a proper way and that the monitoring of Section 106 contributions remained robust. The report reinforced the fact that Section 106 was an important resource stream and that Officers were prepared for any legislative changes. It also included details of new contributions negotiated, an accounts update, funds received from existing agreements and an update on projects being funded by Section 106 funding. The Portfolio Holder thanked the Officers involved for compiling the report and advised that he had proposed that he or his Deputy Portfolio Holder be involved in future S106 Working Group meetings to provide some extra oversight.

The Portfolio Holder for Community Safety and Wellbeing wondered if more pressure could be put on the NHS/CCG to apply for Section 106 funding as there was only one reference to them in the report and she knew that residents would expect more to be being done for healthcare. The Leader said he agreed with this sentiment and said that this was something that should be raised with NHS representatives whenever they had a chance for dialogue.

Resolved:

That the report be endorsed and made available online to provide information to the public and provide a transparent record of Section 106 activity over the last financial year.

130 LASER Energy Contract

The Portfolio Holder introduced the report which explained that the Council's current purchasing agreement for its utilities through the LASER consortium would come to an end in September 2020. The Council would need to enter into a new contract if it wished to continue purchasing utilities in this way. The report identified the different options open to the Council when it came to the procurement of utilities and recommended that they enter into a new LASER contract for the next four years.

The Cabinet agreed to add consultation with the relevant Portfolio Holders to recommendation (ii).

Resolved:

- That**
- (i) the Council enter into a new LASER agreement so that it can continue to procure its utilities through the LASER consortium until 30th September 2024.**
 - (ii) the Head of Corporate Property and Projects, in conjunction with the Head of Legal and Democracy and in consultation with the relevant Portfolio Holders, be authorised to enter into such agreement in relation to the above recommendation.**

131 Changes to Council's Administrative Structure – Cabinet Boards, Advisory Committees and Task Groups

The report advised of changes to the previously approved Groups and proposed the formation of three new Task Groups.

The Leader advised of an update in that Councillor Feacey would also be a Member of the Civic and Ceremonial Programme Board.

Resolved:

- That (i) the proposed changes to the approved Cabinet Boards, Advisory Committees and Task Groups and the formation of the three new Task Groups as set out in the report be agreed.**
- (ii) Terms of Reference for the three new Task Groups will be the subject of a further report at a later date.**

132 IT and Digital Transformation Advisory Committee Notes – 26th July 2019

The Portfolio Holder encouraged all Portfolio Holders to engage with their Heads of Service to see if there were any ways to use the digital transformation agenda to make processes more efficient and better value for money. He advised that work was underway with the Council's Digital Partner, Visarc, to review the structure and content of the Council's website with a view to making it more user friendly.

Resolved:

That the Notes of the IT and Digital Transformation Advisory Committee held on the 26th July 2019 be approved and adopted

133 Local Plan and Planning Policy Task Group Notes – 5th July 2019

In response to a question the Portfolio Holder for Planning and Development advised that one of the key priorities for both the department and this Task Group, was a continued focus on the Housing Land Supply issue and, following the adoption of the Local Plan earlier this year, that work had already started in earnest.

Resolved:

That the Notes of the Meeting of the Local Plan and Planning Policy Task Group held on the 5th July 2019 be received and noted.

134 Ashford Strategic Delivery Board Notes – 26th July 2019

Resolved:

That the Notes of the Meeting of the Ashford Strategic Delivery Board held on the 26th July 2019 be received and noted.

135 Schedule of Key Decisions to be Taken

Resolved:

That the latest Schedule of Key Decisions as set out within the report be received and noted.

136 Exclusion of the Public

Resolved:

That pursuant to Section 100A(4) of the Local Government Act 1972, as amended, the public be excluded from the meeting during consideration of the following item, as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to Paragraph 3 of Schedule 12A of the Act, where in the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

137 Leisure Procurement

The Portfolio Holder introduced the confidential report which updated on the leisure procurement exercise and the current position with Ashford Leisure Trust (ALT).

Resolved:

- That**
- (i) Ashford Leisure Trust's withdrawal from the award process and the return of the Stour Centre lease upon payment of the appropriate sum as compensation to ALT, be agreed and accepted, enabling the Council to award the leisure contract.**
 - (ii) the Chief Executive be authorised, in consultation with the Portfolio Holder, Head of Culture, Head of Legal and Democracy and Director of Finance and Economy, to agree and settle all necessary documents and publish any notices to give effect to the above recommendation and complete the procurement exercise.**



ASHFORD
BOROUGH COUNCIL

Agenda Item No:

Report To: Cabinet

Date of Meeting: 10th October 2019

Report Title: Adoption of village envelope boundary maps for Wye and Warehorne

Report Author & Job Title: Simon Cole, Spatial Development Manager

Portfolio Holder Cllr. Neil Shorter
Portfolio Holder for: Planning and Development

Summary:

The newly adopted Local Plan includes policies that refer to the 'built-up confines' of settlements and, in consultation with parish councils, officers have prepared a series of village envelope maps to indicate where the Council currently considers the existing built-up confines of settlements are. These will help to clarify the written definition in the Local Plan for the purposes of decision-making on planning applications.

The report seeks the Cabinet's approval to adopt the village envelope boundaries for Wye and Warehorne villages as informal guidance for development management purposes.

Key Decision: YES

Significantly Affected Wards: Wye with Hinxhill and Weald South

Recommendations: The Cabinet is recommended to:-

- I. **Adopt the village envelope boundaries shown in the appendix to this report as informal guidance for development management purposes; and,**
- II. **Delegate authority to the Head of Planning Policy, following consultation with the Portfolio Holder for Planning & Development to amend, where relevant, a village envelope boundary to account for the construction of new development.**

Policy Overview: Local Plan policies HOU3a and HOU5 are important elements in the consideration of applications for new residential development in the borough. Their interpretation relies on a written definition of the 'built-up confines' of a settlement set out in the Plan. The proposed village envelope boundaries contained within this report reflect this interpretation in broad terms taking account of local geography and would be used as informal guidance to assist

in the interpretation of what constitutes the 'built-up confines' in individual cases.

Financial Implications: There are no financial implications.

Legal Implications None

Other material implications None

Equalities Impact Assessment Not required.

Exempt from Publication: **NO**

Background Papers: None

Contact: simon.cole@ashford.gov.uk – Tel: (01233) 330642

Report Title: Adoption of village envelope boundary maps for Wye and Warehorne

Introduction and Background

1. Over successive Local Plans, the 'built-up confines' or village 'envelope' of a settlement has been defined in written terms as the "*limits of continuous and contiguous development forming the existing built-up area of the settlement, excluding any curtilage beyond the built footprint of the buildings on the site (e.g. garden areas)*".
2. At the Cabinet meeting in April 2019, Members agreed to adopt a series of village envelope plans for a range of rural settlements in the borough as informal guidance for development management purposes, to aid in the interpretation of policies HOU3a and HOU5 of the Local Plan.
3. Initially, Wye had not been included in this exercise as the majority of the village's built-up confines were already expressed on a base map in the adopted Wye Neighbourhood Plan. However, at the Parish Council's request, officers have now assessed the extent of the built-up confines in the remaining part of the village not covered by the designation in the Neighbourhood Plan. In practice, this meant considering the area between Olantigh Road and Scotton Street on the north-east side of Wye and the results of that exercise are reflected in the proposed village envelope boundary appended to this report.
4. In the case of Warehorne village, this was part of the original tranche of settlements assessed in this exercise but was erroneously omitted from the April Cabinet report, and thus is proposed for adoption now..
5. The draft confines maps were then sent to respective Parish Councils for comment and the offer to propose amendments to the confines boundaries if they considered changes should be made. At that stage it was also made clear that if the Parish Council wished to depart significantly from the broad definition of built-up confines in the Local Plan, then a locally-prepared Neighbourhood Plan would be the most appropriate route to take. Responses were sought by the 11th February to enable the Local Plan & Planning Policy Task Group sufficient time to consider the proposed Village envelope maps for each settlement in advance of this Cabinet report.

Consultation Undertaken

6. The Local Plan & Planning Policy Task Group met on 5th July to consider officer's proposals for the Wye village envelope boundary map contained in the appendix to this report. That report also included an alternative proposal for the extent of the village envelope from the Parish Council's planning consultant. The future of this part of Wye is, of course, subject to consideration through the proposed Wye3/WNP11 masterplan which is the subject of a separate report to this Cabinet meeting. However, the village

envelope exercise is designed to assess the extent of the current built-up confines of the village and not what those confines might, or might not become in the future as a result of new or re-development and as such, is entirely not prejudicial to the consideration of the draft masterplan. The Task Group endorsed the proposed village envelope for this part of Wye as shown on the plan appended to this report, which alongside the defined village envelope shown in the Wye Neighbourhood Plan would thus form the existing built-up confines of the settlement for development management purposes.

7. With regards to the proposal for Warehorne village, this was considered and agreed by the Local Plan & Planning Policy Task Group on the 15th March and is reflected in the plan appended to this report.

Implications and Risk Assessment

8. If the Cabinet agree the recommendation, then the village envelope maps contained within the appendix will become material considerations in the application of policies HOU3a and HOU5 (as well as other Local Plan policies where reference to the built-up confines of settlements is made) in the determination of planning applications. For settlements listed under policy HOU3a only, such as Warehorne, this is of greater relevance as this will establish guidance on the clear principle of whether development should be permitted or not.
9. It is recognised that the village envelope maps recommended for adoption are based on a broad interpretation of the written definition of built-up confines in the Local Plan. This results in some very minor inconsistencies where in some cases, for example, garden areas have been excluded and in others, included within the village envelope, or where some areas of ribbon development on roads entering settlements have or have not been included.
10. For these issues, an element of subjectivity and local context has been applied but this would also be the case where schemes would be determined in the context of just the written definition and so any level of risk here is regarded as minimal.

Other Options Considered

11. In a situation where a village envelope was to be adopted that was not in broad conformity with the written definition of built-up confines in the Local Plan, this would potentially place any decisions taken to permit development to take place in locations outside where the written definition would suggest at risk of legal challenge, particularly in the context of settlements identified under policy HOU3a of the Local Plan only. Similarly, if it were proposed to limit the extent of a village envelope boundary where the location of existing development on the ground would not justify such a boundary in light of the written definition on the Local Plan, then again any decisions to refuse permission for development based on such a boundary would be at risk of legal challenge. Consequently, the written definition of built-up confines in the adopted Local Plan 2030 is considered to be the robust basis for this exercise.

Conclusion

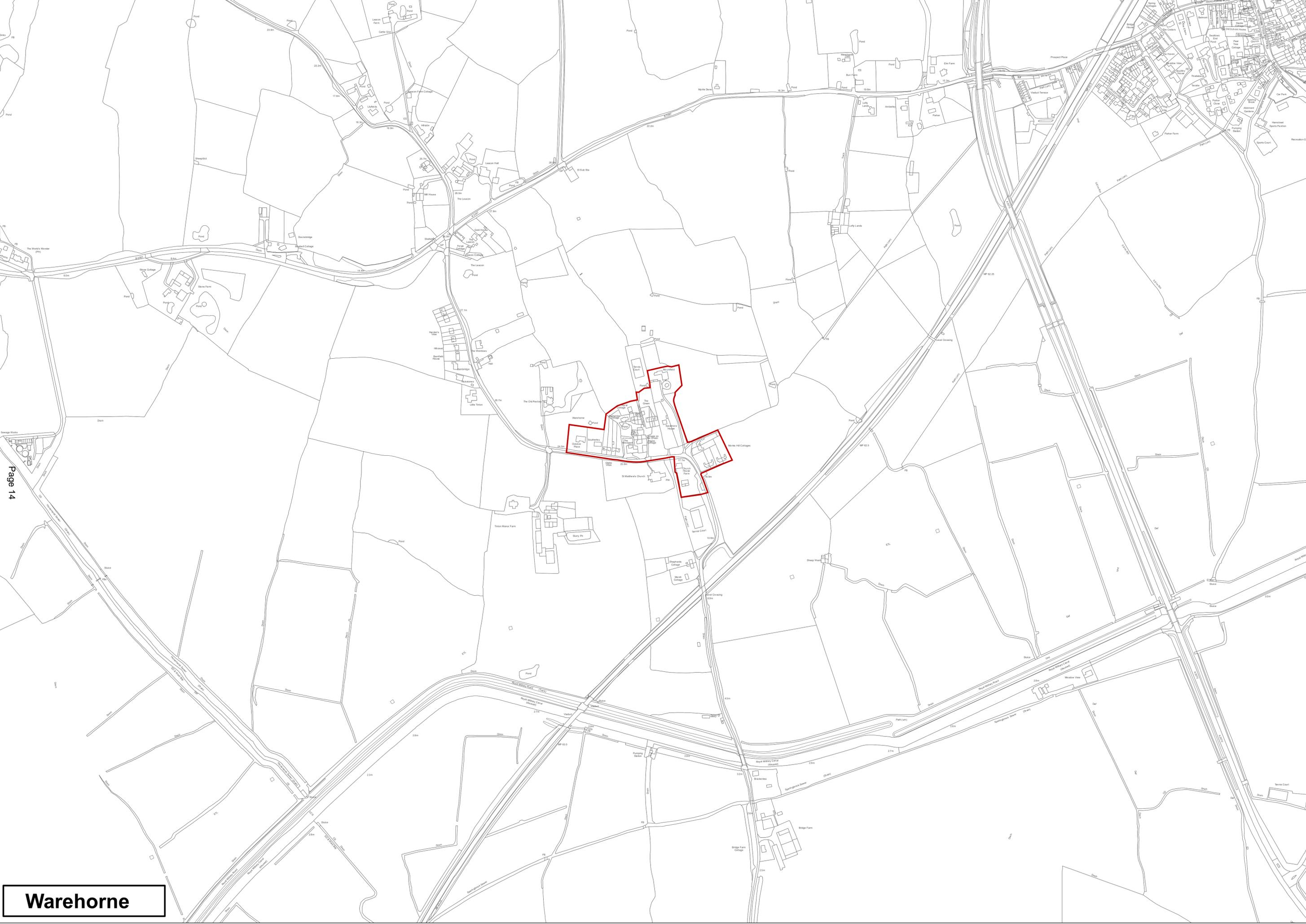
12. Debates about the precise position of where the built-up confines of settlements are located has been a long running theme in the determination of many planning applications over the years. In many settlements, the footprint of development will be fairly obvious in large part but often there will be a minority of places where it is inevitably a subjective view and could be defined in more than one way.
13. In the case of Wye, a formal review of the Neighbourhood Plan would provide an alternative means of establishing where an existing village envelope lies and that may occur in due course but for the time being, the adoption of the 'missing part' of the adopted village envelope through this process will provide useful guidance for development management decisions in the interim.
14. Of course, development is not static and villages may grow and evolve and village envelopes will need to respond to this. Therefore, any village envelope map will need to be a 'live' document and updates will be produced as and when new development that would naturally extend a village envelope is constructed and reviewed on at least an annual basis as part of the Council's housing completions monitoring.

Portfolio Holder's Views (Cllr. Shorter)

15. None received.

Contact and Email

16. Simon.cole@ashford.gov.uk 01233 330642



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Agenda Item No: 7



Report of Overview and Scrutiny Committee to Cabinet

O&S Recommendations to Cabinet – WYE3 Masterplan Task Group

The Overview and Scrutiny Committee recommends to the Cabinet:-

- I. That in light of the seeming failure of KCC to review the MLM study fully, the Council engage an independent transport consultant to review, assess and determine the validity of the traffic assessments submitted in relation to the Masterplan by both Telereal Trillium and Wye Parish Council.
- II. That the Council engage an independent transport consultant or a suitably qualified member of the Council's staff to review, assess and determine the validity of all future traffic assessments for planning applications.
- III. That specific budgetary allocations and additional administrative support for case officers be committed for any future masterplanning exercises.
- IV. That a clearly defined scope and timeline be agreed at the commencement of any future masterplanning exercises.
- V. That, where masterplanning exercises are to be carried out collaboratively with a steering group, clearly defined terms of reference for the steering group including the roles of each partner to the steering group are jointly agreed prior to the commencement of any future masterplanning exercise.
- VI. That, where masterplanning exercises are to be carried out collaboratively with a steering group, an independent chair should be engaged to lead the steering group.
- VII. That future masterplanning exercises be supported and overseen internally by a member led task group, the membership of which to include the Portfolio Holder for Planning and Development and the relevant Ward member(s).
- VIII. That an independent external facilitator be retained for all workshop elements of any future masterplanning exercises.
- IX. That, in order to ensure continuity as far as possible throughout future masterplanning exercises, a single list of invitees should be maintained for all workshop events.
- X. That the Council ensure it provides clear, regular updates on the development of any masterplan to stakeholders throughout any future masterplanning exercise.

- XI. That the Council maintain a single point of contact throughout any future masterplanning process for the gathering and dissemination of any and all information related to the masterplanning exercise.
- XII. That the Council ensure that any and all responses to consultation or engagement exercises conducted on masterplanning be submitted directly to the Council.
-

Date of O&S meeting:	Tuesday 24 September 2019
Chair of O&S Committee:	Cllr Winston Michael (Vice-chairman in the chair)
Date of Cabinet Meeting:	Thursday 10 October 2019
Key Decision:	No
Significantly Affected Wards:	Wye
Relevant Portfolios:	Planning and Development
Management Team Comment:	Management Team has considered the recommendations of the Overview and Scrutiny Task Group as endorsed by the Committee. Management Team's advice to the Cabinet on those recommendations is contained at Item 7a.
Background Papers:	Overview and Scrutiny Task Group review into WYE3 Masterplan process – final report , report to Overview and Scrutiny Committee, 24 September 2019 (attached as Appendix 1) Adoption of the draft WYE3 Masterplan , report to Cabinet, 13 September 2018
Contact:	<u>Lorna.Ford@ashford.gov.uk</u> – Tel: (01233) 330413 <u>Charlotte.Hammersley@ashford.gov.uk</u> – Tel (01233) 330878

Introduction and Background

1. At its meeting of 13 September 2018 the Cabinet was asked to adopt the WYE3 Masterplan. At this same meeting concerns were raised by Wye with Hinxhill Parish Council in regard to the masterplan development and consultation processes. Cabinet resolved to defer the adoption of the masterplan pending the clarification of two points related to consultation responses and the view of Kent County Council in regard to a traffic assessment commissioned by the Parish Council.
2. In reviewing the forward plan for the Cabinet, the Overview and Scrutiny Committee noted that the masterplan was due to be considered again for adoption in the autumn. It was felt by the committee that an examination of the processes followed to develop and consult on the masterplan for WYE3 would be beneficial ahead of Cabinet reconsidering the masterplan adoption, with any recommendations regarding the development or consultation considered at the same juncture.

Process and Findings

3. The Overview and Scrutiny Committee assembled a five member task group, chaired by Councillor Nathan Iliffe, to conduct this review. At its first meeting, the Task Group agreed the scope of its investigations as the two conditions for deferral of the decision to adopt not related to the content of the masterplan as well as the concerns raised by the Parish Council's representative at the Cabinet meeting of 13 September 2018.
4. The role of the Overview and Scrutiny Task Group in conducting this review was to review the masterplan development and consultation processes to establish the veracity of any claims of process failures, and secondly to provide recommendations for improvements in process that will be of benefit for the future.
5. The Task Group held witness sessions with representatives of the owner/developer of the WYE3 site, Wye with Hinxhill Parish Council and the council's Planning and Development service, and considered a number of written submissions provided by Wye with Hinxhill Parish Council.
6. The report of the Overview and Scrutiny Task Group as endorsed by the Overview and Scrutiny Committee (attached as Appendix 1 to this report), makes 12 recommendations relating to both the WYE3 Masterplan and future masterplanning exercises.

Conclusion

7. The Overview and Scrutiny Committee commends the report of the Overview and Scrutiny Task Group to the Cabinet and recommends the following:

- I. That in light of the seeming failure of KCC to review the MLM study fully, the Council engage an independent transport consultant to review, assess and determine the validity of the traffic assessments submitted in relation to the Masterplan by both Telereal Trillium and Wye Parish Council.
- II. That the Council engage an independent transport consultant or a suitably qualified member of the Council's staff to review, assess and determine the validity of all future traffic assessments for planning applications.
- III. That specific budgetary allocations and additional administrative support for case officers be committed for any future masterplanning exercises.
- IV. That a clearly defined scope and timeline be agreed at the commencement of any future masterplanning exercises.
- V. That, where masterplanning exercises are to be carried out collaboratively with a steering group, clearly defined terms of reference for the steering group including the roles of each partner to the steering group are jointly agreed prior to the commencement of any future masterplanning exercise.
- VI. That, where masterplanning exercises are to be carried out collaboratively with a steering group, an independent chair should be engaged to lead the steering group.
- VII. That future masterplanning exercises be supported and overseen internally by a member led task group, the membership of which to include the Portfolio Holder for Planning and Development and the relevant Ward member(s).
- VIII. That an independent external facilitator be retained for all workshop elements of any future masterplanning exercises.
- IX. That, in order to ensure continuity as far as possible throughout future masterplanning exercises, a single list of invitees should be maintained for all workshop events.
- X. That the Council ensure it provides clear, regular updates on the development of any masterplan to stakeholders throughout any future masterplanning exercise.
- XI. That the Council maintain a single point of contact throughout any future masterplanning process for the gathering and dissemination of any and all information related to the masterplanning exercise.
- XII. That the Council ensure that any and all responses to consultation or engagement exercises conducted on masterplanning be submitted directly to the Council.

Contact and Email

8. Lorna Ford, Head of Corporate Policy, Economic Development and Communications
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Charlotte Hammersley, Data Protection and Compliance Manager
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Overview and Scrutiny Task Group review into WYE3 Masterplan process – final report

The Overview and Scrutiny Committee is asked to:

1. Endorse the findings the Task Group
 2. Commend the recommendations of the Task Group to Cabinet
-

Date of O&S meeting: 24 September 2019

Chair of O&S Task Group: Cllr N Iliffe

Chair of O&S Committee: Cllr N Ovenden

Relevant Portfolio(s): Cllr N Shorter (Planning and Development)

Summary: At its meeting of 13 September 2018 Cabinet resolved to defer the adoption of the WYE3 Masterplan pending the clarification of two points related to consultation responses and the view of Kent County Council on a traffic assessment commissioned by the Parish Council.

It was felt by the Overview and Scrutiny Committee that an examination of the processes followed to develop and consult on the Masterplan for WYE3 would be beneficial ahead of Cabinet reconsidering the masterplan adoption.

This report summarises the Overview and Scrutiny Task Group's findings from its review into the WYE3 Masterplan development and consultation; and provides 12 recommendations for endorsement to Cabinet.

Exempt from Publication: **NO**

Background Papers: Adoption of the draft WYE3 Masterplan – report to Cabinet, 13 September 2018

Contact: William.train@ashford.gov.uk – Tel: (01233) 330394

Report Title: Overview and Scrutiny Task Group review into WYE3 Masterplan process

Foreword from the Task Group Chairman

1. The Overview and Scrutiny Task Group has conducted an in-depth and objective review of the processes and practices followed in developing and consulting on the WYE3 Masterplan. Planning and development proposals, particularly for key sites such as those contained within WYE3, can be highly emotive and impactful for communities and as such it is imperative that effective consultation and engagement processes are carried out, and that clear communication with stakeholders is maintained throughout.
2. This review has shown that areas for improvement in the council's masterplanning and engagement processes exist, and the recommendations made by the Task Group aim to enable improvements in the provision of essential services which will ultimately improve outcomes for residents, and I am pleased to commend them to the Committee. I would also like to express the gratitude of the Task Group membership to all witnesses who so willingly gave up their time to participate in this review and inform its findings and recommendations, and to the officers of the council who have given up their time to attend and assist with the meetings of the Task Group.

Introduction and Background

3. At its meeting of 13 September 2018 the Cabinet was asked to adopt the WYE3 Masterplan. At this same meeting concerns were raised by Wye with Hinxhill Parish Council in regard to the masterplan development and consultation processes. Cabinet resolved to defer the adoption of the masterplan pending the clarification of two points related to consultation responses and the view of Kent County Council in regard to a traffic assessment commissioned by the Parish Council.
4. In reviewing the forward plan for the Cabinet, the Overview and Scrutiny Committee noted that the masterplan was due to be considered again for adoption in the autumn. It was felt by the committee that an examination of the processes followed to develop and consult on the masterplan for WYE3 would be beneficial ahead of Cabinet reconsidering the masterplan adoption, with any recommendations regarding the development or consultation considered at the same juncture.

Scope of the Review

5. The Overview and Scrutiny Committee assembled a five member task group, chaired by Councillor Nathan Iliffe, to conduct this review. At its first meeting, the Task Group agreed the scope of its investigations as the two conditions for deferral of the decision to adopt not related to the content of the

masterplan (A, B) As well as the concerns raised by the Parish Council's representative at the Cabinet meeting of 13 September 2018 (C-K):

- A.** A satisfactory response with no impediment to the Masterplan being received from KCC Highways on the MLM traffic assessment.
 - B.** Officers checking that all written points made to the Council as part of the formal consultation on the draft Masterplan have been considered.
 - C.** The Masterplan fundamentally departs from the adopted Wye Neighbourhood Plan.
 - D.** Consultation on the masterplan closed on 8th May, however response papers only started to emerge from 30th August.
 - E.** Public responses were missing from the council's schedule of consultation responses.
 - F.** The MLM traffic review was submitted to the council in May but was not sent to KCC for review until the day before the Cabinet meeting.
 - G.** The Masterplan development process did not reflect the Wye Neighbourhood Plan Examiner's report in considering a wider range of options to be considered, particularly with regard to the potential use of the ADAS site.
 - H.** The developer dismissed attempts to raise other options (point 7) and as such the Parish Council consider that the consultation was not meaningful or transparent.
 - I.** The engagement events held produced little to show for the large commitment of public time and money.
 - J.** The consultation process had not met the core aims of the Statement of Community Involvement in respect of having 'clear concise documents' and having 'kept people informed', in that traffic and drainage reports were retrofitted to support the developer's original layout and quantum, and as such key constraints in these areas did not inform the initial workshops and exhibitions.
 - K.** A lack of response forms in the public library ignored the needs of Wye's elderly population and the approximately 20% of residents with no internet access.
6. Due to the need for technical expertise and the relatively short timescale available to conduct and complete the review, it was agreed that the relative merits and content of the masterplan would not be reviewed by the Task Group. Per the limits of Overview and Scrutiny's powers and responsibilities, the review did not examine any live planning applications.

7. Overview and Scrutiny exists to be a 'critical friend' to the Cabinet, and to provide an objective examination of the council's work to ensure that it delivers the best possible outcomes for all residents of the borough.
8. The role of the Overview and Scrutiny Task Group in conducting this review is therefore twofold – first, to review the masterplan development and consultation processes to establish the veracity of any claims of process failures, and secondly to provide recommendations for improvements in process that will be of benefit for the future.

Task Group process

9. Following an initial meeting to agree the scope of the review, the Task Group conducted separate witness sessions with the members of the tri-partite WYE3 steering group, namely:
 - Representatives of the owner/developer of the WYE3 site (Telereal Trillium) and their agents (Turley; Hobbs Parker)
 - Representatives of Wye with Hinxhill Parish Council (who also provided written submissions)
 - Representatives of Ashford Borough Council's Planning and Development service (the Head of Planning and Development, Policy Manager, Principal Urban Designer and Portfolio Holder for Planning and Development)
10. Having met with and questioned representatives of all members of the tri-partite working group and considered all submissions, the Task Group met to agree its findings and recommendations. The Task Group would like to extend their gratitude to all those who gave up their time to take part in and contribute evidence to this review.

Review findings

11. In conducting its review, the Overview and Scrutiny Task Group has considered a range of written and oral evidence regarding the development of and consultation on the draft WYE3 Masterplan.
12. The Task Group were advised that this masterplan process represented the continuation of a long period of local engagement over planning and development within Wye following the development of the Wye Neighbourhood Plan (and the Imperial College masterplan prior to this) and that the high level of justifiable public interest in the future development of a key site within Wye warranted a more collaborative approach than may otherwise have been taken for a masterplanning exercise. The Task Group finds that in this regard, the effective continuation of the tri-partite steering group was an appropriate choice for co-ordinating this process.
13. Whilst not attributable to a single point in time or element of the masterplan development and consultation, it is evident that there were failings in trust between partners, and a breakdown in relationships as the masterplanning

process progressed; however through the review the Task Group has found that assertions of improper behaviour by officers are unfounded.

14. The Task Group wish to record its observation that, balancing an unusually and unexpectedly intensive and time-bound masterplanning process with the demands of other significant work including the preparation of the Local Plan to 2030 and the largest development in the Borough's history; and working at a time of significant strain on departmental resources, the officers of the Council worked exceptionally hard under very difficult circumstances hampered by the breakdown in the relationship between the partners of the steering group.
15. The Task Group noted the dedication of Wye Parish Council and the work they had undertaken in the preparation of the Wye Neighbourhood Plan. The Task Group felt that the frustrations that had arisen for the Parish Council during the masterplanning process relating to a lack of inclusion and potential miscommunication around the role of the Parish Council were regrettable.
16. The Task Group identified a number of recommendations which are detailed below by theme.

Traffic

17. The views of Kent County Council's Highways and Transportation Development Planning Team (KCC Highways) on the MLM traffic assessment were reported to the 25 October 2018 meeting of the Local Plan and Planning Policy Task Group (LPPPTG), where it was confirmed in the minutes of that meeting (reported to Cabinet on 8 November 2018) that "*KCC Highways had concluded that the transport assessment that supported the Wye3 Masterplan was sound*" and the LPPPTG considered that "*the Council should adhere to the advice of the Highways Officers.*"
18. The Task Group extended an invitation to KCC Highways to attend a witness session and speak to their analysis of the MLM traffic assessment, however this was declined, with KCC Highways noting that they had already made a clear recommendation to the Borough Council on the submitted masterplan in their role as a statutory consultee. KCC Highways also noted that it was not their role to comment on third party submissions, and that these need to be reviewed by the Borough Council in its role as the local planning authority.
19. Taken in conjunction with the report to the 25 October 2018 meeting of the LPPPTG, this response was of concern to the Task Group as it seemed to imply that what assessment of the MLM review had been undertaken by KCC Highways had been limited to determining whether the MLM review raised any methodological issues with the assessment completed by the developer's consultant, Transport Planning Practice Ltd (TPP).
20. Concern was expressed that whilst both the TPP and MLM studies were assumed to both be methodologically sound, their findings with regard to traffic volumes differed due to the reported difference in the parameters of each study. Whilst neither assessment could therefore be said to give an

inaccurate picture of traffic in Wye within its own parameters, the lack of reconciliation of the differing assessments has evidently contributed to the loss of trust by the representatives of local stakeholders on the steering group.

21. The Task Group were advised that the parameters (and resultant findings) of the TPP study were a particular point of contention for the Parish Council in regard to scope point C, as the Wye Neighbourhood Plan had been predicated on the concept of a 'walkable village' and recognised the village's traffic constraints. Concern over the conclusions of the TPP study and the assumed historic use of the college it was based on had led the Parish Council to commission its own study through MLM and submit this to the Council to highlight what the Parish Council saw as inaccuracies in the conclusions of the TPP study.
22. Whilst the view of KCC Highways had validated the TPP study as the basis for the masterplan, the comment to the Task Group by KCC that it was not their role to comment on third party submissions but the Borough Council's was of concern to the Task Group, as it suggested that an independent view should have been sought on the MLM study.
23. The Task Group felt that the seeming failure to effectively review the conclusions of the MLM study in comparison to the TPP study and the lack of a clear verdict on the findings of the MLM study as a counterpoint to the TPP study had contributed significantly to the dissatisfaction of the Parish Council with the masterplan development process. The Task Group felt that an independent, third party assessment of both traffic studies should therefore be sought to resolve this matter:

Recommendation 1: That in light of the seeming failure of KCC to review the MLM study fully, the Council engage an independent transport consultant to review, assess and determine the validity of the traffic assessments submitted in relation to the Masterplan by both Telereal Trillium and Wye Parish Council.

24. The Task Group were disappointed that KCC Highways did not take up its invitation to participate in the review, particularly given the close partnership that exists between the Borough and County Councils. In view of the response provided by KCC Highways and the concerns outlined in paragraphs 17-23, the Task Group felt that it would be both beneficial and prudent for the Borough Council to source its own advice on traffic assessments in the future in order to provide assurance to stakeholders:

Recommendation 2: That the Council engage an independent transport consultant or a suitably qualified member of the Council's staff to review, assess and determine the validity of all future traffic assessments for planning applications.

Resourcing and Governance

25. As noted in paragraphs 12 and 13, the Task Group felt that criticism of the conduct of officers in regard to the masterplan process was unwarranted.

Whilst delays in the process represented a source of frustration to both the developer and Parish Council, these must be seen in the context of a masterplan process that, by admission of the steering group partners, garnered a level of public interest and engagement far in excess of the norm for similar (and indeed larger) exercises carried out.

26. The Task Group noted that the council had not allocated a specific budget to support the masterplanning process, or any additional officer/administrative support to the case officer. Whilst the case officer had led the process, chaired and co-ordinated the tri-partite steering group, the required extent of the case officer's involvement exceeded what was expected and the resources of the developer needed to be utilised in areas (such as the production of exhibition materials) to enable elements of the process to proceed in line with the identified timescale for the masterplan process.
27. Whilst officers reported that this use of the developer's resources was necessary in order to deliver the masterplan in a timely fashion with the limited resources available to the council; the Parish Council advised that they had felt excluded from the preparation of exhibition materials and other key documents. The Task Group felt that the Parish Council's view of this as a failing of the collaborative approach was a consequence of a move away from collaboration towards a developer-driven masterplanning exercise.
28. The Task Group noted as well that officers balanced the delivery of this process against a very large 'day job' workload, and felt that the provision of dedicated administrative support for case officers leading on masterplanning exercises would be of benefit:

Recommendation 3: That specific budgetary allocations and additional administrative support for case officers be committed for any future masterplanning exercises.

29. Officers advised the Task Group that in recognition of the longstanding public interest and involvement of the resident and business population in planning for Wye, the decision had been taken to conduct a more collaborative masterplan development process, utilising the previous tri-partite steering group model as the vehicle to co-ordinate the masterplan process, focus decision making and jointly agree communication on the masterplan.
30. The Task Group heard that this had been welcomed at the start, however as the masterplanning had progressed, there had been a breakdown in the relationship between the members of the steering group and this had been problematic from a perspective of managing the masterplan development process.
31. Across the witness sessions it became clear that there were contradicting viewpoints in regard to the feasible options for, and inclusion or exclusion of, certain composite parts of the WYE3 Masterplan site – such as the exclusion of Withersdane Hall, which was noted separately as having been agreed by all partners early in the process, and an outstanding issue. Witnesses also disagreed on the time taken to deliver the masterplan – some felt that the

process had been unduly delayed by the actions of partners, whilst others felt it had moved too quickly at times and the quality of the masterplan had suffered.

32. The Task Group felt that this whilst there had been delay from the original timescale outlined by ABC, this had been largely unavoidable given the pressures outlined earlier; however it was felt that the initial timetable may have been too ambitious given the ongoing work on the Local Plan to 2030 and other key developments such as Chilmington. Given the above, the Task Group felt that jointly agreeing and recording a clear timetable and scope at the outset of masterplanning exercises would be beneficial in future:

Recommendation 4: That a clearly defined scope and timeline be agreed at the commencement of any future masterplanning exercises.

33. In discussing the masterplan process with witnesses the Task Group noted that there was a seeming lack of clarity among the members of the tri-partite steering group as to the relative roles of each partner.
34. Officers noted that they had envisaged the following roles at the outset: ABC as the facilitator but not the producer of the masterplan, with the developer holding responsibility for producing documents and bringing forward ideas and the Parish Council, as the main representative of the local community, feeding the views of the residents and local community into the process.
35. Whilst these may have been the roles envisaged, it was apparent from the witness sessions held by the Task Group that there was an expectation within the Parish Council of more collaborative preparation of proposals by the tri-partite steering group that had not materialised. Consequently, the Parish Council reported that they did not feel the masterplan was truly collaborative, and lost faith in the integrity of the process.
36. The Task Group recognised that while it would never be possible to produce a development blueprint that was universally approved, the possibility existed that clearer definition of partner roles and the steering group terms of reference may have been conducive to a more productive collaborative process:

Recommendation 5: That, where masterplanning exercises are to be carried out collaboratively with a steering group, clearly defined terms of reference for the steering group including the roles of each partner to the steering group are jointly agreed prior to the commencement of any future masterplanning exercise.

37. As noted above, officers advised that the level of case officer involvement required in undertaking the masterplan development process increased as the masterplanning progressed, with the officer's role encompassing not only the usual case officer duties for the development, but also including the assessment of all consultation responses, collating and writing up all engagement event feedback and chairing and co-ordinating the steering group. On this basis, Members felt that as well as administrative support

(recommendation 3), the engagement of a steering group chair independent from the masterplan development process would have reduced the demands on the case officer:

Recommendation 6: That, where masterplanning exercises are to be carried out collaboratively with a steering group, an independent chair should be engaged to lead the steering group.

38. It was noted in relation to this that the council had constituted a councillor led WYE3 Task Group in 2013 which had met once and been decommissioned. Had the council reconstituted this task group to provide oversight of the masterplan process, the Task Group felt that this group could have provided both additional member support to the process as the breakdown of relationships created difficulties, and may have also provided a practical means to identify a chair for the steering group:

Recommendation 7: That future masterplanning exercises be supported and overseen internally by a member led task group, the membership of which to include the Portfolio Holder for Planning and Development and the relevant Ward member(s).

Consultation and Communication

39. A point of consensus within the witness sessions was that the first workshop session was productive and benefitted from the engagement of the independent facilitator, jointly funded by the Council and the Parish Council.
40. Owing to factors beyond the control of the council the facilitator could not be retained for the second workshop, and whilst understandable the Task Group felt that this was a missed opportunity to build further consensus given that the worth of an independent facilitator was demonstrated in the overall positive reaction of the partners to the first workshop:

Recommendation 8: That an independent external facilitator be retained for all workshop elements of any future masterplanning exercises.

41. The Task Group were also advised that the attendance at the workshops was limited due to constraints in the size of the room available at the Wye College site. Whilst this was raised by the Parish Council as a criticism, the Task Group concur with officers that to hold the workshop off site would have been the wrong choice, even if it had enabled a slightly increased attendance.
42. Concern was also raised by the Parish Council that the invitee lists also varied between the first and second workshops. Whilst some variation was to be expected in order to ensure that the best mix of local and expert knowledge was available in the second workshop in response to the detailed issues under discussion, members felt that enabling consistency of attendance as far as possible would be beneficial:

Recommendation 9: That, in order to ensure continuity as far as possible throughout future masterplanning exercises, a single list of invitees should be maintained for all workshop events.

43. Both the developer and the Parish Council advised that there had been periods in the masterplan development process where a lack of communication from the council had been a source of frustration. The Task Group noted the workload pressure of the case officer, but felt that in processes such as the masterplan development a vacuum could arise from a lack of communication over progress that could lead to speculation and damage public trust in the process.
44. One example cited by the Parish Council as evidence of the masterplan deviating from the Wye Neighbourhood Plan was the downgrading of the masterplan status from an SPD to internal guidance. Whilst there may be valid reasons for this change, the failure to communicate clearly the rationale for this had contributed to a perceived failing in the masterplanning process.
45. In addition, the Task Group noted that there had been no obvious communication with the public at large over the status of the masterplan since Cabinet's decision to defer the adoption of the masterplan in September 2018. A large amount of correspondence had been submitted to the Council in the intervening time which raised the same broad concerns around housing allocation numbers for the WYE3 site. It was not possible to say definitively that this arose from a lack of communication, however additional officer time was required to contact all respondents regarding the inaccuracies in the correspondence:

Recommendation 10: That the Council ensure it provides clear, regular updates on the development of any masterplan to stakeholders throughout any future masterplanning exercise.

46. In speaking with the Task Group, the developer and their agents raised concerns that as the relationships between the steering group members had deteriorated, the provision of consistent communication had been strained, and that members of the Parish Council had sought to influence residents participating in the exhibition events counter to the agreed plan of the steering group. At the subsequent witness session, one of the Parish Council's representatives confirmed that they had spoken with residents outside the exhibition venue as they believed that the exhibition was misleading.
47. The Task Group noted that disagreements between the steering group partners were to be expected, but given that the tri-partite steering group was intended to collaboratively drive the masterplan development process, it was incumbent on the partners to come to an agreement where possible. As noted in recommendation 7, oversight and support by a member led task group may be beneficial in resolving any disputes; however it was felt that for consistency throughout the process a single contact point should be maintained:

Recommendation 11: That the Council maintain a single point of contact throughout any future masterplanning process for the gathering and dissemination of any and all information related to the masterplanning exercise.

48. Officers confirmed that subsequent to the September 2018 Cabinet meeting, the Parish Council had provided details of three respondents to the consultation that it was alleged had not been responded to by virtue of not being included within the schedule of responses provided as background to the September 2018 Cabinet report.
49. Whilst officers were able to confirm that the points raised by these respondents had been addressed through the responses to issues contained within the background documentation to the September 2018 Cabinet report (and so did not raise any matters not previously considered), it is understandable that this seeming omission would have contributed to misgivings in the process.
50. The Task Group were also advised that anonymised consultation responses had been passed to the developer to complete thematic grouping of responses. Whilst officer advised that this was a necessary step to complete the assessment of the 2000 individual comments made in the consultation on the masterplan, and the developer advising that despite requesting they had not been allowed to comment on the responses, the Task Group felt that consultation responses should only be handled by the Council:

Recommendation 12: That the Council ensure that any and all responses to consultation or engagement exercises conducted on masterplanning be submitted directly to the Council.

Recommendations

Recommendation 1: That in light of the seeming failure of KCC to review the MLM study fully, the Council engage an independent transport consultant to review, assess and determine the validity of the traffic assessments submitted in relation to the Masterplan by both Telereal Trillium and Wye Parish Council.

Recommendation 2: That the Council engage an independent transport consultant or a suitably qualified member of the Council's staff to review, assess and determine the validity of all future traffic assessments for planning applications.

Recommendation 3: That specific budgetary allocations and additional administrative support for case officers be committed for any future masterplanning exercises.

Recommendation 4: That a clearly defined scope and timeline be agreed at the commencement of any future masterplanning exercises.

Recommendation 5: That, where masterplanning exercises are to be carried out collaboratively with a steering group, clearly defined terms of reference for the steering group including the roles of each partner to the steering group are jointly agreed prior to the commencement of any future masterplanning exercise.

Recommendation 6: That, where masterplanning exercises are to be carried out collaboratively with a steering group, an independent chair should be engaged to lead the steering group.

Recommendation 7: That future masterplanning exercises be supported and overseen internally by a member led task group, the membership of which to include the Portfolio Holder for Planning and Development and the relevant Ward member(s).

Recommendation 8: That an independent external facilitator be retained for all workshop elements of any future masterplanning exercises.

Recommendation 9: That, in order to ensure continuity as far as possible throughout future masterplanning exercises, a single list of invitees should be maintained for all workshop events.

Recommendation 10: That the Council ensure it provides clear, regular updates on the development of any masterplan to stakeholders throughout any future masterplanning exercise.

Recommendation 11: That the Council maintain a single point of contact throughout any future masterplanning process for the gathering and dissemination of any and all information related to the masterplanning exercise.

Recommendation 12: That the Council ensure that any and all responses to consultation or engagement exercises conducted on masterplanning be submitted directly to the Council.

Conclusion

51. The Task Group have examined thoroughly the masterplan development and consultation processes as related to the scope of the review. These recommendations will enable improvements to the council's processes for future masterplanning and consultation exercises, and the Task Group commend them to the Overview and Scrutiny Committee.

Contact and Email

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O&S meeting of 24.09.19 – WYE3 Masterplan Recommendation	MT advice to Cabinet <i>Adopt or reject plus rationale</i>
<p>That in light of the seeming failure of KCC to review the MLM study fully, the Council engage an independent transport consultant to review, assess and determine the validity of the traffic assessments submitted in relation to the Masterplan by both Telereal Trillium and Wye Parish Council.</p>	<p>Reject - Whilst the Parish Council chooses to dispute KCC's assessment of the traffic assessments, this does not authenticate their assertion that KCC, as Statutory Consultee, have failed to review properly the MLM study.</p> <p>Prior to the consideration of the draft masterplan by the Cabinet in September 2018, KCC fully considered the transport assessment prepared by TPP (the developer's transport consultant) in support of the masterplan and were content with the methodology and outcomes contained therein, including the analysis of highway capacity impact.</p> <p>Furthermore, as requested by Cabinet in September 2018, officers asked KCC to advise on the MLM study prepared for the Parish Council. KCC reported back to officers that that they were in agreement with the assessment made by TPP <i>that there is no compelling evidence within the MLM analysis to suggest that the findings of the Masterplan Transport Assessment are flawed and its contents misleading.</i></p> <p>This advice was reported to and accepted by the Local Plan & Planning Policy Task Group in October 2018. As such, we consider that the transport evidence supporting the draft masterplan was the transport has been robustly assessed by KCC and there is insufficient cause to reconsider the issues again.</p> <p>However, if the Cabinet was minded to support this recommendation from O&S, as a consequence this would mean that the report elsewhere on this Cabinet agenda that considers the adoption of the draft masterplan would need to be deferred with a subsequent report back to the Cabinet at some point in 2020 needed in order to report back on the outcomes of this further study.</p> <p>More generally, in engaging an independent transport consultant it is possible that this may set a precedent and raise the expectation that it would be carried out for all future traffic assessments for planning applications or, alternatively, create additional complexity in determining which traffic assessments would be reviewed and which ones would not be reviewed.</p>
<p>That the Council engage an independent transport consultant or a suitably qualified member of the Council's staff to review, assess and determine the validity of all future traffic assessments for planning applications.</p>	<p>Reject – In their capacity as Kent County Highways Authority, KCC are the Councils statutory consultee regarding Highways and Transportation matters within the borough. As such, KCC have budgetary responsibility for maintaining and operating the network and therefore they have to be comfortable that any proposals work for them in an operational context.</p> <p>The use of third party consultants to review and assess the validity of the traffic assessments suggests a lack of confidence in the professional competencies of the Statutory Consultee. A course of action which may the following implications:</p> <ol style="list-style-type: none"> 1. The Councils position should the view of an independent third party significantly view differ from professional opinions and guidance provided by the Statutory Consultee which may expose the Council to a greater risk of challenge from both parties; 2. From a financial perspective, it may be difficult to justify - should the Council elect to publically fund the duplication of services already provided by the Statutory Consultee, which may result in the Highways authority refusing to adopt elements of future schemes which would then fall on this Council to manage.

	<p>Instead it is suggested that the Council seeks to strengthen its relationships with KCC through the District Deal. In many areas the Council has constructive working relationships with KCC and these need to be built on and permeate further through both organisations. A relationship based on co-operation and understanding with strengthen both organisations and allow them to meet their statutory functions.</p>
<p>That specific budgetary allocations and additional administrative support for case officers be committed for any future masterplanning exercises</p>	<p>Reject – It needs to be remembered that this event occurred before the restructure of the service and since that time there has been a fundamental restructure of the service that sought to re-align resources and outline new, efficient processes. The new structure ensures that there is adequate support for officers working to the vision for the service that the new structure outlines.</p>
<p>That a clearly defined scope and timeline be agreed at the commencement of any future masterplanning exercises.</p>	<p>Adopt – A definitive programme to be agreed in accordance with the methodology outlined below.</p>
<p>That, where masterplanning exercises are to be carried out collaboratively with a steering group, clearly defined terms of reference for the steering group including the roles of each partner to the steering group are jointly agreed prior to the commencement of any future masterplanning exercise.</p>	<p>Adopt – Subject to the methodology suggested below or similar subject to the nature, scale and extent of the specific masterplanning process involved:</p> <ol style="list-style-type: none"> 1. A Steering Group (SG) to be established at the outset to establish the formal governance and agreed approach for the specific masterplan process. 2. The SG to comprise: <ul style="list-style-type: none"> • an independent chair, • the developer, • the stakeholders – agencies KCC (and others as necessary eg Historic England) and relevant representatives put forward by the local community, • relevant senior Council Officers; • the designated Council Officer as Project Manager to orchestrate and support the process, • (the Masterplanning Consultant team when appointed). 3. At inception the SG to collectively agree the TOR. 4. The SG to identify and agree individual objectives and priorities that form basis for 'The Masterplan Brief'. 5. Once agreed 'the brief' is used to commission the Masterplanning Consultant using a recognised procurement framework or through competition. 6. Consultant submissions reviewed, shortlisted, interviewed and selected by SG. 7. Once appointed the commission commences and the masterplanning consultants senior representative(s) join the SG and develop programme for work stages and milestones to be agreed by the SG. 8. Regular meeting programme, venue established for SG to steer, monitor and oversee process during course of the delivery programme. 9. Masterplan Consultant leads and orchestrates the wider stakeholder consultation process supported by Council officers and aligned with MB requirements and overall masterplan programme. 10. Consultation responses presented to SG and decisions taken regarding response and necessary changes.

	<p>11. Draft Masterplan presented to and subject to amendment signed off by SG and referred to Local Plan & Planning Policy Task Group.</p> <p>12. Draft masterplan submitted to Cabinet for adoption.</p>
That, where masterplanning exercises are to be carried out collaboratively with a steering group, an independent chair should be engaged to lead the steering group.	Adopt – The SG responsible for the selection of an independent chair with an appropriate professional background subject to the methodology suggested above.
That future masterplanning exercises be supported and overseen internally by a member led task group, the membership of which to include the Portfolio Holder for Planning and Development and the relevant Ward member(s).	Reject – The Council already has a member lead task group that could be used to support this process, the LP&PPTG. This group should oversee the work and ensure that it is aligned with the methodology suggested above.
That an independent external facilitator be retained for all workshop elements of any future masterplanning exercises.	Adopt – On a workshop by workshop basis and determined through the brief for the masterplan consultant developed and agreed by the SG which may encompass this requirement.
That, in order to ensure continuity as far as possible throughout future masterplanning exercises, a single list of invitees should be maintained for all workshop events.	Adopt – Membership to be determined by and subject to the TOR of the SC.
That the Council ensure it provides clear, regular updates on the development of any masterplan to stakeholders throughout any future masterplanning exercise.	Adopt – Key stakeholder membership to be determined by and subject to the TOR of the masterplan board. Designated SG stakeholders responsible for flow of information to the wider stakeholder community.
That the Council maintain a single point of contact throughout any future masterplanning process for the gathering and dissemination of any and all information related to the masterplanning exercise.	Adopt – An officer designated as Masterplanning project manager to orchestrate the above processes. The continuity of the designated SPOC however, needs to be considered realistically in the context of the operational requirements of the service delivery and staff choosing to exit the authority's employment.
That the Council ensure that any and all responses to consultation or engagement exercises conducted on masterplanning be submitted directly to the Council.	Adopt – However the administrative processing of the consultation response may be carried out by the others for and on behalf of the SG.

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Agenda Item No: 8

Report To: Cabinet

Date of Meeting: 10th October 2019

Report Title: Adoption of draft WYE3 / WNP11 masterplan

Report Authors & Job Title: Simon Cole, Spatial Development Manager
Mark Chaplin, Principal Urban Designer

Portfolio Holder Cllr. Neil Shorter
Portfolio Holder for: Planning and Development

Summary: This report is a follow-up to the Cabinet report of September 2018 and considers issues raised at the time of the Cabinet resolution and subsequently in respect of the former ADAS site that forms part of the draft masterplan area.

The Cabinet is asked to approve the draft masterplan as informal guidance for development management purposes, subject to the suggested changes in the recommendations below, to assist decision-making on applications within the masterplan's boundary.

Key Decision: YES

Significantly Affected Wards: Wye with Hinxhill

Recommendations: The Cabinet is recommended to:-

Adopt the draft masterplan for the WNP11 area as informal guidance for development management purposes subject to the following:-

- I. **Change the wording and any associated diagrams or maps to reflect that residential redevelopment of the former ADAS site should not exceed the existing footprint of previously developed land and be up to a maximum of 15 residential units; the amendments to be to the satisfaction of the Head of Planning and Development, in consultation with the Portfolio Holder for Planning & Development.**
- II. **Change wording to the appropriate Planning and Design Principles section to include further general principles sections on grey water recycling measures in accordance with paragraph 63 of the September 2018 Cabinet report; the**

amendments to be to the satisfaction of the Head of Planning and Development, in consultation with the Portfolio Holder for Planning & Development.

III. The inclusion of those amendments to the draft masterplan listed in the attached schedule of proposed changes, appended to this report; and,

IV. Any other consequential minor amendments considered necessary by the Head of Planning and Development in consultation with the Portfolio Holder for Planning & Development.

Policy Overview: The process for developing and preparing a masterplan for this site is derived from the (now former) policy WYE3 of the Tenterden & Rural Sites DPD and policy WNP11 of the Wye Neighbourhood Plan.

Financial Implications: There are no financial implications.

Legal Implications The proposed status of the masterplan as informal guidance means that it will not have full Development Plan status and therefore should be used to guide decision-making on subsequent planning applications for development within the masterplan area.

Other material implications None

Equalities Impact Assessment N/A

Exempt from Publication: **NO**

Background Papers: None
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Report Title: Adoption of WYE3 / WNP11 masterplan

Introduction and Background

1. In September 2018, the Cabinet considered a report recommending a draft masterplan for the former WYE3 allocation in the Tenterden & Rural Sites DPD, which is now reflected in policy WNP11 of the Wye Neighbourhood Plan. This report is appended here for reference.
2. At that meeting the Cabinet resolved to adopt the draft masterplan as informal guidance for development management purposes subject to a number of amendments and a satisfactory response from KCC Highways on a traffic assessment of the proposals that had been prepared on behalf of the Parish Council.
3. How these matters have been dealt with subsequent to the Cabinet meeting is set out in the relevant section of this report below however, in addition, since September 2018, the situation pertaining the lawful planning status of potential development of the former ADAS site on Olantigh Road has been brought into question and investigated such that the advice given to members in the September 2018 Cabinet report regarding that part of the masterplan area needs to be revised. This is dealt with in more detail in the paragraphs 6 - 13 of this report, whilst any consequences in respect of the recommended approach to the content of the masterplan is considered in at paras. 34 - 45.
4. Members will also be aware that the Overview & Scrutiny Committee has set up a Task & Finish Group to consider issues raised about the masterplan's preparation process, including matters of consultation and collaboration, and these are reported elsewhere on this agenda. However, the scope of the Task & Finish Group does not extend to reviewing the content of the masterplan and so this should not affect the discussion and recommendations of this report.
5. Similarly, there is another report on this agenda relating to the adoption of a village envelope boundary for Wye, which particularly focuses on the extent of the existing built-up part of the village in the area covered by this draft masterplan. As that report makes clear, that issue can be considered independently of the issues discussed in this report and one does not prejudice the other in any way.

Former ADAS site, Olantigh Road

6. At the time of the September 2018 Cabinet report, the Council had received an application to renew the prior approval for the conversion of the redundant buildings on the site to 52 residential flats under Class O of the Town & Country Planning General Permitted Development Order which enables the conversion of B1 (a) offices to residential without the benefit of full planning permission.

7. The original decision that prior approval for this change of use was not required was made on 26th January 2016 under application 15/1602/AS and was referred to in several paragraphs of the September 2018 Cabinet report, notably in para. 75, where it is cited as “*a legitimate fallback position*” in respect of the draft masterplan’s proposal for 20 dwellings on the former ADAS site.
8. Both during the consultation on the draft masterplan and, in particular, in representations received on the application to renew the prior approval (18/1009/AS), evidence was drawn to officers’ attention regarding the previous use of the ADAS facility and whether, in fact, the building could be lawfully considered as last in use class B1(a) and hence qualify for conversion under the Class O rights. This principally focused on the nature of the facilities when the building was lastly fully occupied in the early 1990s prior to its full closure at some time between 2003 and 2008.
9. Evidence put forward by the Parish Council appeared to indicate that significant parts of the building were last used as laboratories related to agricultural and horticultural activities undertaken in the area and when the building was occupied by the then Ministry of Agriculture, Fisheries and Food (MAFF). Conversely, it is also clear that parts of the buildings continued to be used as office accommodation long after the last laboratory use at the site ceased.
10. The current derelict state of the buildings, the passage of time and the lack of any clearly definitive planning records meant that a desk-top exercise alone would not provide sufficient clarity to reach an informed position and therefore, an inspection of the site and its buildings was conducted in May 2019 by planning officers to assess any evidence from the design and layout of the buildings themselves.
11. The site visit provided evidence of the derelict paraphernalia associated with the former laboratories across a significant part of the building, in particular in Block C. Whilst a few rooms could be said to be of ambiguous former use based on the evidence seen, the majority can be reasonably assessed on the balance of probability based on layout, design, location of power and lighting, design and signage of doors, etc. On this basis, a reasonable estimate of the former mix of uses, over the two levels of the building, was made as follows:- 59% of floorspace was used as Research & Development Laboratories (within Block B and C); 37% of total floorspace was used as Office Use (Block A); and 4% of the floorspace forming part of the canteen (within Block B). On this basis, it is considered that, when last fully occupied and operational, the building would most reasonably be assessed as being of either class B1 (c) (with ancillary office use) or a ‘sui generis’ mixed use.
12. Importantly, there is no documentary or visual evidence to indicate that the rooms that were previously used as laboratories in the building were subsequently converted to, or otherwise used as, B1 (a) offices following the cessation of laboratory use at the site. These rooms therefore remained vacant within the building, in effect being ‘mothballed’.
13. On the basis of this evidence, officers sought Counsel’s opinion as to the lawful use of the whole building for the purposes of establishing whether the

Class O permitted development rights could apply. Counsel has confirmed that caselaw supports officers' view that the simple cessation of the laboratory use does not confer the B1(a) office use on the remainder of the building in the absence of any evidence of conversion to that use or intensification to a point where a material change in use of the building could have occurred. Consequently, it is now considered that there is no implementable prior approval for conversion of the building to 52 flats and that the 'fallback position' reported to Cabinet in September 2018 no longer exists.

Matters outstanding from September 2018 Cabinet report

14. In September 2018 Cabinet resolved that, subject to:-

(a) a satisfactory response with no impediment to the Masterplan being received from KCC Highways on the MLM traffic assessment, and,

(b) Officers checking that all written points made to the Council as part of the formal consultation on the draft Masterplan have been considered,

the draft Masterplan for WYE3 be adopted as informal guidance for development management purposes, subject to the following amendments: -

(i) Change wording to the appropriate Planning and Design Principles section to include further general principles sections on drainage/SUDs and grey water measures in accordance with the items set out in Paragraphs 57 and 63 of the report,

(ii) Confirm that the area known as the 'Strawberry Field' should be retained free from built development and all references to future development should be omitted,

(iii) Any other minor amendments considered necessary by the Head of Planning and Development in consultation with the Portfolio Holder for Planning and Development.

15. The progress made on each of these matters is now set out below.

MLM Traffic Assessment

16. Kent Highways gave a full response on the Wye3 masterplan proposals and the associated Transport Assessment during their extensive discussions with the developer and the Borough Council throughout the evolution of the masterplan and the consultation process. They made it clear they had made at least 2 site visits to investigate the operation of the level crossing at peak periods. KCC were content that the base traffic model that the developer has produced represents the current operation of the level crossing when the trains are running to timetable. KCC Highways concluded that it is extremely unlikely that the development proposals will make this issue significantly worse than a lawful college use on the site.

17. KCC Highways & Transportation team subsequently made it clear it was not Kent County Council's position as a statutory consultee to have to formally respond on the MLM assessment carried out for the Parish Council view. In

the event, the methodology undertaken by MLM was assessed by TPP (the developer's transport consultants) and it was stated by KCC that they agreed with the assessment made by TPP that there is no compelling evidence within the MLM analysis to suggest that the findings of the Masterplan Transport Assessment are flawed and its contents misleading. This was reported to the Local Plan & Planning Policy Task Group in October 2018, where the Task Group accepted KCC's position re-affirmed their support for the draft masterplan subject to the amendments agreed by the Cabinet the previous month.

Officers checking for the presence of any outstanding representations

18. The minutes of the Cabinet meeting show that the Parish Council felt that some residents' comments resulting from the formal draft masterplan consultation exercise were missing and had not been properly assessed by officers. Subsequently, on 24th October, the Parish Council wrote to confirm that it was representations from three residents (Mr and Mrs James Loudon and Lady Kate Wilkinson) that they considered had not been addressed in full.
19. In November 2018, a full review of the letters and comments made by Mr and Mrs Loudon and Lady Wilkinson was carried out to establish whether their comments had been fully considered as part of the formal consultation process. It is important to note that all public comments received were included in a series of tables with a response by Council officers next to each and every point. This is typical of the way public consultation comments on other planning guidance documents are processed.
20. The evidence demonstrated that the Council received a hard copy of a hand written questionnaire by post from Mr Loudon which responded to just one question (Part 10 on Transport Assessment). Their comments raised the following 2 points;-
 - The 30mph speed limit should start at the ADAS entrance.
 - There is a likely to be an increase in traffic, especially during construction phases, along Olantigh Road – that part of the road towards Godmersham between Tyewood Cottage and Godmersham is narrow and dangerous and a speed limit should be considered.

There is clear evidence that both of these points made by Mr and Mrs Loudon were included in the table of comments under the 'Traffic Section' (reference s8-R120) page 26 of 31, and an officer's response was reported.

21. Lady Wilkinson emailed on 4th May and made seven main comments which are referenced below. I can confirm that all the comments clearly were included and dealt with in the relevant responses sections as identified below.
22. The first issue raised by was;
 - *Telereal Trillium (subsequently referred to as TT) proposes doubling to 800 metres the size of the radius of the "walkable village" agreed in the Wye Neighbourhood Plan (subsequently referred to as WNP) , which was 400 metres. Furthermore they have moved the centre point of the circle from which the radius was taken in order to facilitate agreement to their developments.*

The enlargement of the radius would inevitably result in more people making car trips into and through Wye. This is in direct contradiction to the promotion of a healthy lifestyle through exercise (ie people walking) and of the creation of less pollution, both of which are essential to the age in which we live.

This first issue was included in 'conflict with neighbourhood plan responses section (ref s3-r36 page 3-4).

23. The second issue raised was;

- *TT are proposing a very large increase to the number of dwellings agreed in the WNP. Their proposal is for 101 dwellings, plus a 50 bed space residential care home or extra care housing. NO provision is made for affordable housing, which would not be in line with Ashford Borough Council's (subsequently referred to as ABC) policy.*

This comment was also included in 'Conflict with Neighbourhood Plan responses section (ref s3-r36 page 4-5).

24. The third issue raised was;

- *As far as the residential care home on the Olantigh Road is concerned, TT have not supplied any indication, no design, no drawings, of the appearance of such a building. This is a very large space and I think it is essential that the village should understand clearly how such a building would fit into the overall plan. How can we agree to something when given such sketchy details?*

This was included in 'Care Home' responses section ref s3-r37 (PAGE 1 of 4)

25. The fourth issue raised was;

- *TT have shown total disregard for the Grade 1 listed status of the former Wye College buildings. It has been drawn to my attention that there is an existing planning application on these buildings which is barely mentioned in the Masterplan. It seems to me extraordinary that we are supposed to be thinking about the overall plan (the Masterplan) at the same time as considering the detail (what happens to the historic college). Did the Neighbourhood Plan not say that the Masterplan should come first?*

This comment was included in the 'Conflict With Neighbourhood Plan' responses section reference S3-R39 (Page 5).

26. The fifth point raised was:

- *Increase in car traffic: having lived in or near Wye for nearly 80 years and having known Wye College well in its heyday, I*

question the veracity of the TT figures. TT seem to me to be suggesting that the College had over 2000 students and they have used this as a baseline to justify more cars in Wye through more development. However, my memory has it that very few students ever had cars, so to suggest that the village had previously experienced more cars than is now the case is totally misleading.

This point was included in the 'Traffic Responses' section reference S3-R41 (Page 28).

27. The sixth point raised was;

- *TT state that traffic queues always clear between shuttings of the railway crossing gates. Such is simply not certainly do build up, at times causing congestion in surrounding streets.*

This was included in the 'Level Crossing' responses Section reference S3-R42 (page 3).

28. The seventh point raised was;

- *In summing up I can only conclude that the Masterplan with its fine appearance is nothing more nor less than a masterclass in the use of devious tactics. It should on no account be accepted by Ashford Borough Council.*

This final point was also fully included in the 'Objection Responses' section reference S3-R43 Page).

29. The further investigations demonstrate satisfactorily that all the points raised in the correspondence received from Mr and Mrs Loudon and Lady Wilkinson as part of the Wye3 consultation process were addressed and reported on. The same points these individuals made were also repeated by many other residents during the formal consultation stage as well as on numerous other occasions during the earlier exhibitions and workshops. I remain content that the Council has assessed these issues fully and reached the conclusion that the proposed Wye3 Masterplan has dealt with these issues adequately.

(i) Change wording to the appropriate Planning and Design Principles section to include further general principles on drainage/SUDs and grey water recycling measures in accordance with the items set out in Paragraphs 57 and 63 of the report.

30. It has been agreed to add a new heading has been added to original Section 6 (page 30) section entitled 'Incorporation of SUDs Principles'. The final document will state;

Development proposals will incorporate the following key principles for incorporation of SUDs measures

- *SuDs measures should maximise the use of infiltration within the development site, thereby minimising the impact of surface water run-off from the development/redevelopment.*

- *Surface Water will not leave the site, as infiltration should be a key component of the overall approach to surface water management across the site*
 - *Measures should ensure that quality of water run off from the site does not degrade the quality of local water courses or ground water supplies*
 - *Foul and surface water drainage proposals will ensure quality of water run-off from the site does not degrade the quality of local water courses or ground water supplies*
 - *Consideration will be given to the incorporation of green roofs within development proposals*
31. Further insertions to this section should also include that any future developments should explore the potential for including grey water recycling measures as required by the Cabinet in their resolution from September 2018. At the time of drafting this report, these amendments had yet to be made and so this resolution is included again in the recommendations in this report.

(ii) Confirm that the area known as 'Strawberry Field' should be retained free from built development and all references to its future development should be omitted.

32. It has been agreed that any reference to the redevelopment of the Strawberry field this will be omitted from the final document including:-
- Section 14 on page 84
 - Section 11 on page 64

iii) Any other minor amendments considered necessary by the Head of Planning and Development in consultation with the Portfolio Holder for Planning and Development.

33. A series of minor amendments to the September 2018 version of the draft masterplan have been agreed with the developer and these are set out in the schedule of changes appended to this report. This report provides a formal opportunity for the Cabinet to endorse these amendments and this forms part of the recommendations in this report.

Implications for the proposed masterplan

34. Based on the discussion in the sections above, it is considered that the material change of position relating to the potential lawful use of the former ADAS site for 52 flats justifies a further consideration in respect of the content of the draft masterplan but any other matters outstanding from the September 2018 Cabinet report do not.
35. The principle of residential redevelopment of the former ADAS site was discussed in the September 2018 Cabinet report (paras. 36-38) as this was a matter raised during the consultation process on the draft masterplan. Since that time, the NPPF and the associated Planning Practice Guidance has been updated, and the Local Plan 2030 has been adopted and it is pertinent to now re-consider the matter again in light of the most up-to-date policy position.

36. The former ADAS site lies to the north of the existing built up part of Wye village and is around 850 metres from the main central part of the settlement. As such, it lies outside the 5 minute 'walkable village' concept which forms an important element of the principles enshrined within the adopted Wye Neighbourhood Plan. The relevant clause of policy WNP11 of the Neighbourhood Plan (which sets out policy in respect of different elements of the WYE3/WNP11 area) states that proposals should "*achieve appropriate re-use of the site of the former ADAS buildings, having regard to the concept of the walkable village*".
37. There is, however, no explicit policy in the Neighbourhood Plan that seeks, in principle, to prevent new residential development either specifically on this site or beyond the 5 minute 'walkable village' radius from the village centre and as policy HOU5 of the Local Plan states, new residential development adjoining or close to the existing built up confines of Wye will be acceptable subject to meeting a number of criteria.
38. The tensions between the aims of the Neighbourhood Plan and its 'walkable village' concept and the developer's aspiration to redevelop the former ADAS site for housing was discussed at some length in the Examiner's Report on the Neighbourhood Plan – of which the section on policy WNP11 and its supporting text are appended to this report. Para. 124 of the Examiner's report in particular highlights the respective issues, such as the AONB status, brownfield status (of some of the site) and the potential tension of consistency with national planning policy. As a consequence, the final version of the NP was amended to enable, at least, the principle of residential development there to not be excluded from the masterplanning process for the wider area.
39. It is also perhaps important to note that the draft version of the NP upon which the Examiner was commenting had indicated that the use of the former ADAS site for intensive business or residential use was not appropriate (my emphasis). Whilst this phrase was deleted from the adopted NP, it indicates that the location may have been considered acceptable for a limited scale of residential development.
40. When considering the draft masterplan more broadly, the overall number of residential units being proposed across the whole masterplan area is 100 plus the units within a proposed residential care home). This is significantly in excess of the indicative quantum of '*approximately 50*' set out as part of policy WNP9 of the Neighbourhood Plan. Even coupled with a proportion of the '*approximately 35*' units attributed to '*Change of use*' in policy WNP9, there is no quantitative requirement for the former ADAS site to be redeveloped for housing, although it should be recognised that national policy does not set a ceiling or limit on new housing development where such development can be considered sustainable.
41. As the NP Examiner put it (in para. 124 of his report), there is a difficult balance to strike on the future of the site of the ADAS buildings. The absence of an implementable fallback for residential development is material but part of the site is brownfield and as such, there is at least a theoretical fallback in relation to the previous activities, including any associated traffic movements arising from them. Whilst the reintroduction of laboratory uses would be highly unlikely and hence a full fallback position should be given little weight, the

same might not be said of B1(a) office uses in the parts of the buildings previously occupied for those purposes. The buildings on the site are derelict and have a detrimental impact on the character of the AONB accepting that the site is well screened by trees which minimises this adverse impact.

42. Therefore, despite the lack of the implementable 'prior approval' for 52 flats here, on balance, a limited scale of residential development can be justified. However, given the relevance of the 'walkable village' concept explicitly referred to in clause (h) of policy WNP11 and the scale and quantum of residential development proposed across the remainder of the masterplan area, a reduction in the quantum and footprint of residential development proposed at the former ADAS site from that previously considered, is justified.
43. In respect of footprint, given the AONB status and the essentially derelict nature of the previously developed parts of the site, it would be appropriate to limit the scope of any redevelopment to that encompassed by the brownfield part of the former ADAS site. This has the opportunity to improve the current appearance of the site without making any additional intrusions into the natural, undeveloped part of the site.
44. In respect of quantum, the location of the former ADAS site dictates that a low residential density would only be appropriate, especially in light of the AONB status and the Development Plan considerations referred to above. The draft masterplan currently indicates 'up to 20 residential units' on this site but in view of the material changes described above, a reduction in this figure to be 'up to 15 residential units' should be made to the masterplan. The actual quantum of units (i.e. 15 or lower) can be considered in more detail through a subsequent planning application, where the precise mix and layout of a residential scheme can be assessed. This represents a minimum 25% reduction in the quantity of housing proposed for the former ADAS site which is considered to be a proportionate and justified response to the changed position described earlier in this report.
45. In light of the discussion above, Members should be aware that the developer has recently submitted planning applications (ref: 19/1330/AS and 19/1327/AS respectively) for the former ADAS site which proposes the demolition of the existing buildings there and the construction of 20 residential dwellings on the site, and the land north of Occupation Road for the construction of 40 dwellings. The determination of these applications will, of course, be a matter for the Planning Committee in due course and should not prejudice the views of the Cabinet on the acceptability of the proposed masterplan.

Conclusion

46. The September 2018 Cabinet report set out the basic conclusions on the need for a masterplan to assist in guiding new development across this sensitive part of Wye and this remains the case now. The Council has considered all relevant matters during the course of the masterplanning process and, whilst accepting that not all elements have public support, on balance the masterplan represents a sound and proportionate response to the challenges provided by the site's context and varying characteristics. It is

considered to be in broad accordance with Development Plan policies and NPPF guidance whilst any departure from policy in respect of the quantity of new development is limited has been assessed and can be justified by material considerations.

Portfolio Holder's Views (Cllr. Shorter)

47. "This report is necessary to be fully transparent, to members and the public, following new information becoming known after the publication of the 2018 Cabinet report on the Wye 3/WNP11 masterplan. I am pleased with the points of clarification, particularly in responding to opinions that not all comments were addressed.
48. I am of the opinion that this report fully responds to historical concerns, new information since the original report and that the conclusions are well founded and should be agreed at Cabinet".

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Agenda Item No: 17

Report To: CABINET

Date of Meeting: 13TH September 2018

Report Title: Adoption of the draft WYE3 Masterplan

Report Authors & Job Titles: Simon Cole (Head of Planning Policy) & Mark Chaplin (Principal Urban Designer)
Portfolio Holder: Cllr. Clokie (Planning & Development)
Portfolio Holder for:



Summary: This report sets out the content of the draft Wye3 masterplan that has been prepared to establish the mix and quantum of uses appropriate for the redevelopment of the former Imperial College campus at Wye and the outcomes of the recent public consultation exercise on the draft Masterplan.

The Wye 3 masterplan will be a useful guidance for Development Control purposes when designing and analysing detailed planning applications for the many parts of the site. The Cabinet is asked to approve the recommendation of the Local Plan and Planning Policy Task Group seeking support for the Wye3 Masterplan (including any amendments deemed necessary) to be adopted as informal guidance for Development Management purposes when determining Planning Applications within the Wye3 site boundary.

Key Decision: YES

Significantly Affected Wards: Wye

Recommendations: The Cabinet is recommended to:-

Adopt the draft masterplan for the WYE3 as informal guidance for development management purposes subject to the following amendments:-

- i) Change wording to the appropriate Planning & Design Principles section to include further general principles sections on drainage/SUDs in accordance with the items set out in paragraph 57 of the report;**
- ii) Confirm that the area known as the 'Strawberry Field' should be retained free from built development and all references to future development should be omitted;**

iii) Any other minor amendments considered necessary by the Head of Planning & Development in consultation with the Portfolio Holder for Planning & Development.

Policy Overview:	The process for developing and preparing a masterplan from this site is derived from policy WYE3 of the Tenterden & Rural Sites DPD and policy WNP11 of the Wye with Hinxhill Neighbourhood Plan.
Financial Implications:	None.
Legal Implications:	The proposed status of the masterplan as informal guidance means that it will not have full Development Plan status and therefore should be used to guide decision-making on subsequent planning applications for development within the area of the masterplan.
Equalities Impact Assessment	N/a.
Other Material Implications:	None
Exempt from Publication:	NO
Background Papers:	<ul style="list-style-type: none">- Wye3 Masterplan Document- Landscape Study- Strategic Transport Assessment- Foul & Surface Water Drainage Strategy- Masterplan Consultation Report- Schedule of consultation comments
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Report Title: Adoption of the draft WYE3 masterplan

Introduction and Background

1. The process leading to the subject of this report, the draft masterplan for the land that formed part of the former Imperial College campus in Wye that was allocated in the Tenterden & Rural Sites DPD in 2010, has been the subject of much debate and discussion over recent years. In fact, the issue of the potential future use of the land is covered as long ago as the 2008 in paragraph 6.27 of the Core Strategy where “the fluctuating and uncertain situation regarding the Wye campus will be reviewed in the Tenterden & Rural Sites DPD and policy guidance brought forward on how the aim of retaining a high-quality knowledge based presence in the area can best be achieved.”
2. By the time of the examination of the DPD in 2010, the situation had not progressed sufficiently far in order to establish a definitive set of uses that would be suitable for allocation and hence the WYE3 policy primarily sets out a process to follow that would eventually lead to that position.
3. Initially, following Imperial College’s decision to end their educational use of the campus, the policy objective was to establish whether there were any alternative educational or related research and business uses that may be willing and able to take over all or part of the campus. This involved a marketing campaign for such uses undertaken on behalf of Imperial College but overseen by a ‘steering group’ involving the Borough and Parish Councils.
4. The WYE3 policy then went on to require, in the event of the marketing campaign being unsuccessful, “a masterplanning exercise....to establish the nature, scale, location and mix of any alternative uses to deliver a high quality, mixed use development.” Eventually, it was agreed that the marketing campaign had adequately demonstrated that a viable educational or related use for the site was not going to emerge and so the need for a masterplanning exercise for the site should be undertaken.
5. The WYE3 policy in the DPD makes no comment or indication of what appropriate ‘alternative’ uses may comprise, or the scale or mix of such uses. The supporting text to the policy acknowledged the context of the site, including the heritage importance of the College site and the environmental and landscape sensitivity given the AoNB status of the land within which the village lies. These matters were therefore in effect delegated to the masterplan.
6. The DPD policy envisaged the masterplan informing policy in the first review of the Core Strategy or a review of the policy itself or adoption as SPD. However, the policy was adopted in advance of the preparation of the subsequent Wye with Hinxhill Neighbourhood Plan.

Neighbourhood Plan

7. The Wye with Hinxhill Neighbourhood Plan was formally 'made' in 2016. It includes a dedicated section on the WYE3 site which includes descriptions of the constituent elements that make up the wider site and policy guidance in policy WNP11 which sets out the following:-

Policy WNP11 - The former Imperial College London campus at Wye

As outlined in Core Policy WNP6, the former Imperial College London landholding at Wye (WYE3) is proposed for a mix of uses, including education, business, community infrastructure and housing. In this regard development proposals for this site shall, subject to viability:

- a) Provide for the continued use of part of the site for education through the establishment of a secondary school or equivalent activity on the site.***

Any such development should include the adoption of a travel plan to limit the use of cars to bring staff and students to and from the site prior to the commencement of any such development. Detailed design should be submitted to and agreed by the local planning authority and the highways authority for the entrance to the school and the Occupation Rd/Olantigh Rd junction in agreement with the developers of the remaining Occupation Rd site prior to the occupation of the buildings for this use.

- b) Redevelop part of the site as a business hub (B1 Office or A2 Research and development).***
- c) Retain and enhance the existing commercial land use along the southern side of Occupation Road for employment use (B1).***

Renovation of the properties here would improve the appearance of the entry route into the village from the North Downs Way.

For (b) and (c), adequate parking provision for such commercial floorspace should be provided as part of any such redevelopment.

- d) Incorporate the continued use of the land south of Occupation Rd for horticultural businesses.***
- e) Achieve the positive re-use of the Grade 1 and Grade 2 listed, and other unused Edwardian buildings of the former Wye College by a mix of community, residential and business uses***

Such development would require provision of a new pedestrian and vehicular access route into the site.

Small scale B1 use, live/work units and some residential change of use would also be supported here to encourage the development of a thriving community hub in these historic buildings in the heart of the village.

- f) Retain the Withersdane site for institutional, residential (C2) use, subject to traffic generation being compatible with the highway***

constraints of Scotton Street and the upgrading of footpath links between the site and the village to ensure mobility scooter access.

g) Re-develop areas of land not used by the school or business hub for approximately 50 dwellings.

h) Achieve appropriate reuse of the site of the former ADAS buildings, having regard to the concept of the walkable village.

i) Pay particular attention to the potential for innovation in materials and form in the design of new buildings, and should where possible embody elements such as green roofs and non-reflective materials to limit the visual impact of additional development here on the surrounding AONB. Any development should provide a connection to the nearest point of adequate capacity in the sewerage network, as advised by Southern Water.

j) Ensure that all additional landscaping provided across the site is of high quality given its setting within the AONB, is comprised of species native to this area of the Kent Downs and of a design, scale and format appropriate to its setting close to the SAC. Applications should demonstrate how proposed landscaping has been designed to enhance views from the AONB.

k) Where appropriate, having regard to the statutory requirements, development of WYE3 will be subject to Section 106 agreements to support traffic calming on Olantigh Rd., Scotton Street and Oxenturn Rd., improvement to the village hall complex and the establishment of a day care centre for the elderly (see Appendix B).

8. The NP policy reinforces the aspiration of a high quality, mixed use redevelopment embedded with policy WYE3. The inclusion of education, within the list of suitable uses reflects the establishment in 2013 of the Wye Free School at the site, initially in the Kempe Centre and now also to be in expanded new-build accommodation on the site. The policy also includes the Withersdane site on Scotton Street which formed part of the WYE3 designation in the Tenterden & Rural Sites DPD but which has subsequently been converted this area does not form part of the draft masterplan for the remainder of the campus.
9. Other policies contained within the NP also provide the background against which the draft masterplan should be considered. Most notable amongst these are policies WNP6 and WNP9.
10. Policy WNP6 provides an overarching policy for the WNP11 (WYE3) site and reflects the mix of uses outlined in WNP11 above and the need for a phased approach to the masterplanning of the site. It also makes reference to the adoption of the masterplan as SPD which is dealt with later in this report.
11. Policy WNP9 sets out the scale of housing development anticipated in the NP on the various allocations in the NP and on windfall sites within the parish. For the area covered by the draft masterplan, policy WNP9 indicates a total of approximately 50 units, subject to the masterplan. However, there is also a

separate indicative total for 'change of use' (35 units) which potentially could apply to some of the proposals contained within the draft masterplan.

12. Criterion (h) of the WNP11 above refers to the former ADAS site on Olantigh Road which forms the northern extent of the masterplan area. The site contains vacant and dis-used offices within a wooded area and lies outside the 'walkable' village envelope identified in the NP. However, the site benefits from a 'prior approval' for the conversion of the buildings to 52 flats under the permitted development rights for such changes of use introduced several years ago.

Draft Masterplan

13. The draft Masterplan proposes the following:-
 - Land North of Occupation Road - 40 new dwellings with; "Strawberry Field" shown as grazing land; Existing former orchard retained; new public footpaths provided; New public car parking area for North Downs Way users
 - Land South of Occupation Road - In the short term it is anticipated that existing commercial uses will continue, but ultimately it will be redeveloped for a series of single storey buildings in a "model farm" layout; car parking is largely enclosed within courtyards, plus new single storey buildings on the triangular site fronting the North Downs Way and two existing houses retained.
 - ADAS site (Olantigh Road) – 20 new detached family homes with "donkey field" limited to residential gardens or green space.
 - Wye School – The school and its grounds have expansion plans currently under construction so the Masterplan does not set out any proposals for this part of WYE3.
 - Former College Buildings – This application for conversion to residential and community uses was reported to Planning Committee in June 2018 and members sought to agree to support the proposals subject to amendments to include more community use and further negotiations on section106 contributions. These discussions are still ongoing.
 - Former Science Laboratories site, Olantigh Road - Proposed Residential Care Home/Extra Care Housing for up to 50 units. Access to car parking to potentially be provided off the car parking courtyard of the former college building immediately adjacent to the south of this site.
 - Former Russell Laboratories, Olantigh Road - Proposed for conversion to New Small Business Centre, with car parking provision to the full commercial vehicle parking standard. A flexible range of potential uses might include Offices, Artist studios , Health or alternative health practitioners, Craft workshops, Café, Retail, Gym, Education/training, other small business uses.
 - Covenanted Land south of Occupation Road – No change proposed and is to be retained but open to discussions with community for any potential change.

14. A hard copy of the masterplan is available on request and one hard copy will be available in the Members room. Alternatively it can be downloaded from the following link:
<https://haveyoursay.ashford.gov.uk/consult.ti/WYE3/consultationHome>
15. The supporting documents that were available as part of the original consultation process earlier this year, and are available to download from the link above. Hard copies of these documents will also be available in the Members Room. The suite of supporting documents include the following:-
- Transport Assessment
 - Drainage Strategy
 - Landscape Study
 - Public Consultation Report
 - Report on workshops and exhibitions.
 - Note on Consultation & Approval Process - Next Steps.
16. Although the wider context to the masterplanning of the site has been ongoing for several years, the process for establishing the draft masterplan contained in this report commenced in earnest in early 2017 with a stakeholder workshop held in the College buildings.
17. Although the draft masterplan has been drawn up by the site's owners (Telereal Trillium), the masterplanning process has been collaborative and has involved representation from both the Parish and Borough Councils in a Steering Group that has held various meetings and workshops over the course of the last 18 months. The process has also included several public workshops and exhibitions to enable community input to the emerging masterplan. The key milestones are set out below:-
- January 2017: Workshop 1 – to explore context, constraints, the placemaking options and potential, key strategic design aspirations for WYE3 Masterplan and start to explore actual development opportunities.
 - May 2017: Workshop 2 – to test and explore the various emerging Masterplan opportunities and options in more detail.
 - May 2017: Public Exhibition 1 to comment on and influence the emerging options to inform the WYE3 Masterplan.
 - September 2017: Exhibition 2 to comment on and shape the final content and options Masterplan options.
 - November 2017: Draft WYE3 Masterplan for consideration by WYE3 Steering Group.
 - January 2018: Informal Presentation of Masterplan to elected members, Ashford Borough Council. Wye Parish Council were invited to attend.
 - April 2018: Draft Masterplan published for six week consultation period.
18. During the public consultation, an approximate total of 60 representations were received raising in excess of 2000 comments. A full schedule (400+ pages) of the representations and ABC responses to these points is available

in the Members room along with copies of letters from key consultees (and is a Background Document to this report).

Consultation Undertaken

19. The main issues raised during the 6 week public consultation are discussed in this section of the report.

a) Conflict with the Neighbourhood Plan

20. A number of responses received regard the masterplan as conflicting with the Neighbourhood Plan in respect of the quantity of new residential development. The Neighbourhood Plan gives an indicative housing figure for the whole village of 150 units and for WYE3 approximately 50 units, plus approximately 35 units from change of use proposals and approximately 15 units from other windfall schemes. The Neighbourhood Plan states these should be provided between 2020 and 2030.
21. In gross housing terms, the draft masterplan proposes a total of 60 new dwellings plus the conversion of the former Science Labs to a 50 unit extra care facility. This would be in addition to the conversion of the listed former college building to 39 units which has previously been approved. On its face this appears to be significantly more residential development than envisaged by the Neighbourhood Plan policy.
22. However, the context of the masterplan area needs to be fully considered in meeting the wider aspirations of the DPD and Neighbourhood Plan policies for the area. This includes the recognition of how much of the new residential development would be on previously developed land (which is particularly important within an AONB) as well as any lawfully implementable schemes already within the masterplan area. This factor especially applies to the former ADAS site where there is a prior approval scheme to convert the buildings there to 52 flats.
23. The re-use of the ADAS is discussed more fully below but the position there indicates that a more rounded assessment of the appropriate housing capacity for the masterplan area is needed.
24. Of the dwellings proposed in the masterplan, only 40 units are shown on the purely greenfield area of the site (north of Occupation Road) with the remainder either as conversions of existing buildings or redevelopment of redundant buildings (ADAS).
25. Even if the proposals for an indicative maximum of 50 extra care or residential care units on the former Science Labs is classed as new residential development (which will depend on the level of care provided in any scheme that eventually comes forward), this form of residential development is considered appropriate for a village such as Wye and clearly generates less activity and traffic movements than 'traditional' housing units.
26. In total, it is accepted that the total of residential units proposed in the draft masterplan would exceed the indicative quantum referred to in policy WNP6 of the Neighbourhood Plan. However, once the specific material

considerations that apply to the various elements of the site are fully considered, a similar, if not greater, quantum of residential development could be lawfully or acceptably brought forward against prevailing local and national planning policies. Therefore, if there is any conflict with the letter of the NP policy on the housing quantum for the site, this should not be regarded as significant or prejudicial to the wider aims for the redevelopment of the site.

Conflict with concept of a 'walkable' village

27. The 'walkable' village concept is embedded in the Neighbourhood Plan as one of the principles that governed where the village 'envelope' for the village was drawn. It seeks to retain new development within a walkable (i.e. 400-800 metre) radius of the main shops and services within the centre of Wye. A number of representations felt that the masterplan's proposals (in particular for the redevelopment of the former ADAS site) were not consistent with this principle.
28. Due to Wye's geography and range of local services spread across the village, tying this principle to a fixed place is difficult. The Neighbourhood Plan examiner stated many of Wye's services, amenities and facilities are dispersed throughout the village beyond what are perceived as basic walking distances and this should not prevent the principle of development in the WYE3 site.
29. There is no fixed concentric pattern or distance on how far people will walk to use different facilities just some general guidance and research principles. Between 400-800metres is regarded as the maximum average distance people may be willing to walk for shopping, schools, commuting via public transport, or personal business but each of these distances vary considerably according to a very wide range of personal circumstances and factors.
30. In relation to the WYE3 land, the most well used day to day facility in the village is probably the Co-op supermarket in the High Street. This is between 450 and 600m from any new housing accessed from Occupation Road or the employment or residential redevelopments on the western side of Olantigh Road. This is not a distance that will put off staff or residents from walking or cycling when using this shop. The ADAS site is further (approximately 850m) from the supermarket but as modest sized windfall exception site of 20 units on balance when compared to the original use and the prior approval for 52 converted units, any traffic accessing the day to day village amenities would be very limited.
31. In any event, the principles set out in the WYE3 Masterplan emphasise the importance of enhancing the network of legible streets, footpaths and cycleways in order to support walking to the village for those residents and employees in the masterplan area.

Treating the site as a series of piecemeal plots

32. Applications relating to the extension of the Wye Free School and subsequently the former Wye College buildings conversion was criticised by some respondents as being premature and resulting in a piecemeal development. However it was clear that, as WYE3 Masterplan has evolved, it

was apparent that the area was quite heavily constrained by geography and landscape features, existing streets and buildings as well as ownership and policy requirements.

33. The Wye Free school proposals came forward on a large area in the middle of WYE3 defined boundary. The site boundary was fixed by the Educational Funding Agency as they wanted to secure a quick delivery of an extension to the school facilities and new sports field. This meant that the WYE3 masterplan had to embrace this educational use to ensure the Masterplan was best integrated with other uses and the community. Criterion (a) of the WNP11 policy specifically provides for the continued use of part of the WYE3 masterplan area for education through the establishment of a secondary school. In particular, the sports fields provide a suitable transition from the village to the countryside beyond.
34. The listed building conversion came forward before the WYE3 masterplan for various reasons. There was a strong urgency to consider the restoration of these deteriorating listed buildings to secure their future. It is also a compact site with public rights of way dividing it and residents parking required on the doorstep. This self-contained small scale development of the type proposed was felt to have no obvious implications for the wider WYE3 Masterplan and layout and would not prejudice the future development of the rest of WYE3. There were very few alternative solutions spatially for the College Buildings that this part of the WYE3 site could seriously address in the WYE3 Masterplan layout.
35. The remaining parts of WYE3 are less constrained and there is considered to be plenty of space to achieve a mix of uses based on good placemaking principles. Therefore, dealing with the College and Wye Free School proposals first was pragmatic rather than piecemeal and has not prejudiced the ability to deliver a quality WYE3 Masterplan. The Masterplan has genuinely attempted to look holistically at regenerating the place to create a more vibrant and active part of the village.

b) The principle of the use of the former ADAS site for housing

36. As stated above, a number of representations were received objecting to the masterplan's proposed use of the former ADAS site for housing as it lies outside the village envelope identified in the Neighbourhood Plan.
37. The planning position of the ADAS site means that whilst 52 converted units could be erected under current planning consents through the evolution of the WYE3 Masterplan, a reduction in the number of units to 20 was felt to be much more appropriate given its location on the very edge of the village.
38. The Masterplan has had to balance the walkable village concept with the planning status of the ADAS site. The site lies beyond the indicative 400m distance from the centre which the concept of the walkable village is based on in the Neighbourhood Plan. However, a low density, high quality residential scheme here that replaces the derelict existing buildings on the site has the opportunity to improve the environment subject to appropriate detailed planning, in particular in respect of the views of the site from the north and east. The principle of housing development here is already established

through the prior approval and so the scheme shown in the masterplan reflects a much more appropriate solution than the 'prior approval' scheme.

c) C2 residential care home or extra care housing is not appropriate on the former Science labs site

39. Some representations have questioned the suitability of introducing this type of use on this site and that insufficient studies had been done to test demand. However, there is also a lot of support for it as there was perceived to be a demand for this form of accommodation use given the slightly older demographic of the village as it would give people the opportunity to stay in the village. Locating this type of use relatively close to the shops and services available in the village represents a sustainable form of redevelopment which is also likely to attract demand.
40. The Masterplan is therefore written flexibly to look at either residential care home or extra care housing and this option is considered appropriate for this part of the WYE3 Masterplan area.
41. If there is commercial interest in this type of accommodation it will need to be looked at in terms of its design, layout, appearance, landscaping, access, impact on traffic (amongst many other factors) at an application stage when a clearer idea on an operator's requirements can be tested. There is a potential opportunity for integrating the access with the adjoining former college buildings car park and access.

d) No evidence to support B1 business use in converted Russell Laboratories and former Student Union Buildings

42. Some representations have stated that there is a need at the Masterplan Stage to demonstrate market evidence that there is demand for such commercial use in these buildings.
43. However, the Neighbourhood Plan policy for the site supports the principle of a business hub as part of the WYE3 redevelopment and the re-use of these buildings on sustainability grounds would make a valuable contribution to the local economy and employment offer in the village without the need to expand onto land beyond the edge of the village. Furthermore, the developers indicate that advice from local commercial agents indicates there is demand for such accommodation at moderate market rents and their initial costings indicate that business re-use of the existing buildings can be viable, subject to the detailed requirements of potential future occupiers and applicable market rents.
44. The Masterplan takes a flexible approach to the conversion of these buildings for a commercial business uses. I consider that requesting evidence of commercial market interest and an analysis of the viability of the commercial buildings would be too onerous at this stage. That level of detail would need to be tested with the market subsequently as specific interest and proposals emerge.

e) Impact of the proposals on the AONB and the character and heritage of the village

45. As the whole of Wye village sits within the AONB, it is inevitable that any redevelopment here will have some impact upon it. The Masterplan and associated Landscape strategy highlight the importance of the AONB and seeks to respond appropriately to the landscape character of the AONB.
46. The proposed pattern of development has responded to the local context, for example, in the potential layout and structure of any new build housing north of Occupation Road, and sets out clear principles for ways to create distinctive places, spaces and buildings that enhance the AONB and the village's setting within it. It should be noted that the Kent Downs AONB unit have supported the content of the Masterplan.
47. Any forthcoming detailed proposals will be required to respond carefully to assess the impact on the AONB landscape character and how to protect or enhance its setting. It is expected that the applicant will work in partnership with the Kent Downs AONB unit on these detailed matters.
48. The Masterplan has carefully assessed the local historic context of the village and sets out clear principles for the detailed design and conservation of heritage issues that any forthcoming schemes will be required to meet. The Masterplan is considered to have fully considered the need to protect and enhance Wye's heritage assets.

f) Additional congestion on the roads in the village

49. A number of the responses to the masterplan highlighted concerns over the additional congestion that would be created in the village as a consequence of the new development exacerbated by a lack of sufficient on-site parking which would create additional parking on the local roads to the detriment of traffic flow through the village.
50. A Transport Study accompanies the WYE3 Masterplan which proposes some highway works to Olantigh Road at the junction with Occupation Road, to enable this constrained and busy junction to accommodate the needs of pedestrians, cyclists and vehicles. Some widening of the footways in parts of Olantigh Road is proposed in the Masterplan where sufficient space exists, particularly on the west side of the street. Some further traffic calming works are also required to the north of this junction to slow vehicles approaching the village from the north, and which formed part of the proposals for the Wye Free School application. It concludes that the WYE3 proposals will be acceptable in traffic impact grounds. In particular, the junction of Olantigh Road and High Street/Scotton Street was felt to be acceptable along with the impact on queues at the rail crossing at the busy main entrance to the village.
51. The Masterplan has satisfactorily considered the car parking requirements for the residential, care home, business and commercial horticultural parts of the scheme to test that the indicative ideas for layouts work successfully. The Masterplan also sets out the importance of meeting current parking standards set out by Kent County Council and Ashford Borough Council.
52. Kent Highways & Transportation (KH&T) agreed with the conclusions of the Transport Study and the analysis of the highway capacity impact. Kent

Highways concluded that as long as the current rail timetable operated then all the development proposed in WYE3 would not have a detrimental effect on queuing times for vehicles at the crossing as waiting vehicles would be able to clear the crossing between trains. KH&T supported the principle of the highway works elsewhere in WYE3, the traffic calming works and aspirations for indicative parking provisions. Some further minor works and detailing may be required but this would be resolved at any future detailed application stage.

53. A document by GTA Civils (Parking & Traffic Assessment, Impact of Proposed Development in Wye, Ashford, Kent) was commissioned by the Parish Council and submitted to the Borough Council after the consultation deadline. It has been circulated to KCC Highways & Transportation for comment but it is understood that they do not consider it raises any new issues not previously addressed.

g) Need for the Masterplan to support and retain existing businesses in WYE3

54. There was some considerable support given to the need to support and retain existing small businesses based in the WYE3 Masterplan area should these businesses wish to remain in the village. For instance, it has been suggested that Celis/BCP have recently reluctantly relocated and that Wye Bugs want to remain in Wye. It is important that the Masterplan can support this and offer new affordable accommodation that fits in with the welcome aim to improve the appearance and quality of the horticultural premises.
55. The WYE3 Masterplan rightly keeps the option open for any horticultural businesses to occupy new premises in the area south of Occupation Road. It's also accepted that other commercial business could relocate to the converted Russell Laboratories and former Student Union buildings west of Olantigh Road.

h) Concerns that the development lacks integrated SuDS and will worsen the drainage and flooding situation in the village

56. The Drainage Strategy which supports the WYE3 Masterplan demonstrates that the associated development will not exacerbate any existing problems in Wye. This Strategy highlights the importance ensuring a reduction in the overall impact on the existing foul drainage network. It seeks to encourage all developments to assess the sewer capacity by reducing the outflow of foul water discharge into the existing sewer network, and to consider the scope for upgrading sewage capacity. The comments of the sewerage undertaker has not highlighted any fundamental issue with the Wye3 site but this will need to be addressed at a detailed application stage.
57. The Drainage Strategy and Masterplan stresses the importance of utilising the SuDS to minimise the impact of the surface water runoff. Clearly SuDS form an important aspiration of the Masterplan but it is felt by consultees that it needs to be emphasised slightly more as a key design principle potentially with some basic outline ideas on how to integrate SuDS into the development. The amendments being sought include:-

- a) How SuDS measures should maximise the use of infiltration within the development site and therefore minimise impact of surface water runoff from development/ redevelopment;
 - b) Confirmation that Surface water will not leave the site as infiltration should be viable as part of overall approach to surface water management across the site;
 - c) Ensure that quality of water run-off from the site does not degrade the quality of local watercourses or groundwater supplies
 - d) Foul and surface water drainage must ensure that quality of water run-off from the site does not degrade the quality of local watercourses or groundwater supplies;
 - e) Include some reference to “green roofs”
58. This should be added to the relevant design principles section of the Masterplan to ensure these SuDS and drainage issues can be delivered effectively.
59. The KCC SuDS team and Southern Water, as key stakeholders, support the scale of development and the approach set out in the Masterplan and recommend addressing these issues at the detailed application stage.
60. Subject to the minor amendments listed above, it is considered that foul water, surface water drainage and SuDS are adequately dealt with in the Masterplan.

i) Inadequate engagement with stakeholders

61. Some comments received considered that the masterplanning process had not been sufficiently collaborative and there had not been adequate engagement with local stakeholders during its preparation.
62. As referenced in para 17 of this report, there has been an on-going dialogue for over a considerable period between the Borough Council, Parish Council and the landowner/developer. The Masterplan has resulted from a dialogue and analysis with stakeholders to understand the development constraints and potential of the site. As stated in this report this was based on a rigorous process of collaborative workshops, exhibitions and meetings that have taken place over the last 2 years. These pro-active events attempted to set out how different ideas, options and solutions upon which to base the Masterplan could be accommodated and a wide range of stakeholders and consultees were able to learn and influence its evolution. Some of this background information is explained in the Masterplan and set out in the appendix to the Masterplan.

Local Plan & Planning Policy Task Group

63. The Local Plan & Planning Policy Task Group considered the draft masterplan at its meeting on the 31st August. Members of the Task Group endorsed the content of the masterplan subject to there being a clear statement that the

'Strawberry Field' area to the east of the proposed new housing north of Occupation Road should be retained as 'pasture'. Also Members endorsement was subject to a request that any future developments should explore the potential for including grey water recycling measures. These changes were in addition to the other minor proposed amendments set out elsewhere in this report.

Implications and Risk Assessment

64. The Council has assessed whether a Strategic Environmental Assessment (SEA) should be carried out for WYE3 Masterplan. This might be necessary if it were setting new policy but its intention is to act as informal guidance. Both the Tenterden & Rural Sites DPD and the Wye Neighbourhood Plan have been subject to the SEA process.
65. It may be the case that any forthcoming major planning applications in the masterplan area have to go through an Environmental Impact Assessment screening test to needs to check if an EIA is required in this location. This will depend on the scale and nature of the proposals. In any event, even if the application doesn't needs to go through an EIA process all the statutory bodies can make the points they need to as part of the determination of any planning applications which come forward.

Equalities Impact Assessment

66. Not applicable.

Other Options Considered

67. At the various community events, a considerable number of creative ideas for alternative uses were proposed and explored. Clearly the historic use of the college in its heyday when it was a vibrant place with community access to the facilities, was looked upon fondly by the community. However, this would not be a practical option today and the re-use of the campus for educational uses was previously explored in depth prior to the masterplanning exercise.
68. The Masterplan proposes a deliverable option of residential uses, residential care or extra care accommodation and a mix of commercial uses. This is no doubt based to some extent on commercial decisions but these uses are appropriate in this location within the village.
69. The presence of the Free School retains an educational element to the site and there is potential for some more community uses to be introduced through the conversion of the listed buildings. One idea to safeguard part of the WYE3 site for a future village hall was not supported by the Parish Council due to its perceived peripheral location, and alternative locations are being investigated.

Status of the masterplan

70. The implication from policy WNP6 of the NP is that the masterplan should be adopted as a Supplementary Planning Document (SPD) by the Borough Council. However, it is not clear whether it is open for the Borough Council to adopt SPD against a Neighbourhood Plan prepared by a different body. Even if this is the case, as discussed above, the draft masterplan involves a departure from the strict interpretation of some elements of the NP. Although these are considered to be justified in the circumstances, there is some doubt as to whether it would be appropriate to label the masterplan as 'supplementary' to any of the NP policies. Consequently, adopting the masterplan as SPD would not be appropriate.
71. However, it is still possible to give appropriate 'status' to the masterplan in order to meet the spirit of the policy so that it may be regarded as the proper guide for the consideration of future planning applications on the WYE3 site. In essence, it should be seen as a development brief for the site and the recommendation is that it should be adopted as 'informal guidance for development management purposes'.

Next Steps in Process

72. If the Cabinet adopts the recommendation, the masterplan will be adopted for development management purposes with subsequent planning applications expected to comply with the principles established within it.

Conclusion

73. The need for a clear masterplan to guide the future development of this key site in Wye has been evident for some considerable time. Balancing the development opportunities presented by the site against the constraints presented by the context of the high quality landscape that provides the setting for Wye, the heritage assets that form part of the WYE3 site and the wider character of the village, has providing a challenge for the masterplan to address.
74. It is acknowledged that the scale of development, in particular the quantum of residential development across the masterplan, potentially exceeds that envisaged in the NP. However, the site is complex and a significant proportion of the residential element constitutes the re-use of existing buildings or is on brownfield parts of the site. The residential element on the greenfield land to the eastern side of Olantigh Road where the potential impact on the AoNB and the views from the Downs is greatest, is limited to 40 dwellings. The inclusion of extra care or residential care homes slightly distorts the housing numbers too.
75. The concerns raised over the redevelopment of the former ADAS site are also reasonable when looked at in isolation but the presence of the 'prior approval' scheme means there is a legitimate fallback position the developer could pursue. On balance, a much lower density, high quality residential redevelopment of that part of the site should be preferred to the potential flatted scheme which the 'prior approval' scheme would entail.
76. The Masterplan successfully sets out a clear vision for a very constrained site that resulted from a collaborative community and stakeholder consultation

process. It should be supported as it will provide an excellent strategy for the regeneration of the largely unused former college land much of which is derelict and detracting from the perceptions of the village. The Masterplan provides a strong rationale for creating a mixed use scheme with a predominantly residential and commercial focus but with sufficient scope for interesting other ancillary uses to come forward. It is a template that should bring further vibrancy to the economy, culture and community life in Wye.

77. Given the context, the Masterplan adopts good place-making principles and establishes clear design principles for the integrated design of buildings, streets and open spaces. The Masterplan layout respects the AoNB and this unique landscape setting based on a good understanding of the distinctive context, character and heritage of the place. The supporting Transport Study demonstrates that the local concerns over traffic and parking can be overcome and the Drainage Strategy forms a basis for addressing local concerns over flooding and sewer capacity.
78. In conclusion, the draft masterplan represents a sound and proportionate response to the challenges provided by this site. The mix of uses is considered to be acceptable and in broad accordance with the WYE3 and WNP11 policies referred to above whilst any departure from the policy basis in respect of scale is limited and can be justified by the material considerations applicable at this time.

Portfolio Holder's Views (Cllr Clokie)

79. I believe the draft masterplan represents a sound basis upon which to consider the future development of the WYE3 site. I am happy to recommend that the Cabinet adopts it as informal guidance for development management purposes and the future consideration of planning applications in Wye.

Contact and Email

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	Amendments to the Wye 3 Masterplan	
Page No	Amendment	
Front Cover	remove references to draft/consultation draft; amend date to April 2019.	
Contents Page	replace March 2018 with April 2019.	
Page 5	Correct typo – “some housing” rather than “summer housing”.	
Page 8	correct spelling of Wye Bugs – WyeBugs (single word).	
Page 9	add hyperlinks to documents, as specified. Reference to Kent Design – delete (date to add) add date 2005; reference to Manual for Streets add date September 2010.	
Page 14	<p>– timetable as follows:</p> <ul style="list-style-type: none"> • March 2018: Draft Masterplan published for a six week consultation period. • May-August 2018: Collation and assessment of responses. • August 2018: Local Plan and Policy Task Group consider responses on the potential changes and overall suitability of Masterplan. • 13th September 2018: Cabinet meeting to consider Wye 3 Masterplan. • October 2019; Cabinet adopt Wye 3 Masterplan 	
Page 16	<p>amend second paragraph to read:</p> <p>“Policy WNP6 indicates that the Masterplan will be adopted as a Supplementary Planning Document by Ashford Borough Council; however it is not considered appropriate for Ashford Borough Council to adopt a Masterplan pursuant to the Wye Neighbourhood Plan, which was prepared by a separate body, Wye Parish Council; accordingly, Ashford Borough Council has determined that the Masterplan should be adopted for development management purposes, and hence guide and direct development proposals within the Masterplan area, but not be formally adopted as a Supplementary Planning Document.”</p>	
Page 16	Page 16 third paragraph – amend to read as follows:	

	“The policy and guidance context is further set by the Ashford Local Plan 2030 (adopted 21 st February 2019) which has superceded the Tenterden & Rural Sites DPD and the Ashford Core Strategy.”
Page 20	– add the following bullet points to the end of the list in third column: <ul style="list-style-type: none"> • Natural England Character Areas Area 119 North Downs. • Kent Downs AONB Rural Streets and Lanes Design Hand Book
Page 20	amend list under heading “Other Relevant Planning Policies” to read as follows: <ul style="list-style-type: none"> • Ashford Borough Local Plan 2030 (adopted 21st February 2019) • National Planning Policies & Guidance • Kent Downs Area of Outstanding Natural Beauty Management Plan 2014-2019 (Second Revision April 2014) • Manual for Streets 2 (2010) and Kent Design Guide (2005)
Page 24	add the following bullet point to list of constraints: <ul style="list-style-type: none"> • Olantigh Towers Garden (Register of Historic Parks and Gardens list entry 1000295).
Page 25	under heading Heritage – Listed Buildings, Conservation Area – add sentence at end of paragraph as follows: “Regard will also be had to the Olantigh Towers Garden, to the north of the former ADAS buildings, listed on the Register of Historic Parks and Gardens.
Page 28	third column bullet points under heading Wye 3 Campus – amend capacity of free school to 650 pupils/90 staff and amend spelling of Kemp Centre to Kempe.
Page 30	– add new heading at end of third column as below: “Incorporation of SuDs Principles” Development proposals will incorporate the following key principles for incorporation of SuDs measures. <ul style="list-style-type: none"> • SuDs measures should maximise the use of infiltration within the development site, thereby minimising impact of surface water run-off from development/redevelopment.

	<ul style="list-style-type: none"> • Surface water will not leave the site, as infiltration should be a key component of the overall approach to surface water management across the site. • Measures should ensure that quality of water run-off from the site does not degrade the quality of local water courses or ground water supplies. • Foul and surface water drainage proposals will ensure quality of water run-off from the site does not degrade the quality of local water courses or ground water supplies. • Future developments should explore the potential for including grey water recycling measures • Consideration will be given to incorporation of green roofs within development proposals.”
Page 37	second column replace Wye Bugs with WyeBugs.
Page 38	third column delete wording: “but previously in use in conjunction with Wye College for research purposes”.
Page 44	the correct spelling of WyeBugs (fifth bullet point).
Page 46-47	Correct spelling of “Wibberly Way” is “Wibberley”
Page 63	second column correct spelling of WyeBugs.
Page 67	second paragraph delete the wording at the end of the paragraph: “but under the previous use in conjunction with Wye College, having been used as a horticultural research area”.
Page 70	first column, final paragraph regarding the Latin School – amend to read: “A specific proposal has been made that the building known as the Latin School should be retained for community use; access is presently provided, on request and at no cost, to the Wye Heritage Centre. The Latin School was made the subject of an Asset of Community Value designation, during 2017. The current planning application for conversion of the Listed buildings is subject to the resolution of the Planning Committee, requiring that the Latin School should be retained for some form of community use.”
Page 82	amend list of considerations under first heading by amending third bullet point to read: “Strategic Policies of the Tenterden & Rural Sites DPD (superceded by Ashford Borough Local Plan 2030)”

	Amend fourth bullet point to read: “Adopted Ashford Borough Local Plan 2030”
Page 83	Amend first paragraph to read: “The wider policies of the Development Plan (Ashford Borough Local Plan 2030) will address the implications with regard to other development management considerations including: (Bullet points remain as shown)”
Page 83	Add paragraph under heading “The Village Envelope excludes: after paragraph ending... ‘The Wye 3 site’ ” “This accords with the provisions of the adopted Ashford Borough Local Plan 2030 at paragraph 6.58, which notes that basic day to day services such as a grocery shop, public house, play/community facilities and a primary school should be within a generally accepted easy walking distance of 800 metres in order to be considered sustainable, although the specific local context may mean a higher or lower distance would be a more appropriate guide.”
Page 84	delete eighth bullet point commencing: “This area is considered to have potential...”, including 3 offset bullet points commencing: “The need for any new residential development...”
Page 89	Amend second paragraph under heading “Affordable Housing” to reflect adoption of the Ashford Borough Local Plan 2030 as follows: “The adopted Ashford Borough Local Plan 2030 indicates a request for provision of Affordable Housing at a total rate of 40% in the rural areas, including social housing for rent at 10% and affordable home ownership at 30%, including a minimum of 20% shared ownership housing.”
Page 89	fourth paragraph, first column – delete second part of paragraph commencing: “The provision of enlarged accommodation...”

Page 92	<p>Amend first paragraph under heading “Timetable” as follows:</p> <p>“It is anticipated that, following adoption of this Masterplan, planning applications will be prepared and submitted by Autumn 2019; details of the anticipated sequencing of development are set out under the relevant heading below.”</p> <p>Second column – Refurbishment and Conversion of Listed Buildings – amend third paragraph by deletion of following text:</p> <p>“Enabling the Latin School to be incorporated in the residential development, and its Asset of Community Value restriction to be removed.”</p> <p>Amendment is also required to the text of Appendix B, which summarises other planning policies and guidance of relevance to proposals within the Masterplan area.</p> <p>Under Heading “Planning Policies & Guidance” delete (a) Ashford Adopted Core Strategy and (b) Tenterden and Rural Sites DPD; replace (c) Ashford Local Plan 2017 as follows:</p> <p>(a) Ashford Borough Local Plan 2030 (adopted 21st February 2019)</p> <p>The Ashford Borough Local Plan 2030 has superseded the Ashford Adopted Core Strategy and Tenterden and Rural Sites DPD. Policies of particular relevance to the area covered by the Masterplan include:</p> <ul style="list-style-type: none"> • Policy HOU1 – Affordable Housing (total Affordable Housing requirement for rural areas 40%, including affordable/social rented 10% and affordable home ownership products 30%, including a minimum of 20% shared ownership, subject to viability) • Policy HOU3a – Residential Windfall Development within settlements – supports residential development proposals in the villages including Wye • Policy HOU5 – Residential Windfall Development in the countryside – supports proposals for residential development adjoining or close to the existing built up confines of settlements including Wye • Appendix 5 – The Housing Trajectory 2018-2030 <p>Wye Neighbourhood Plan Area (Wye 3, Former Imperial College) shows a total of 125 new dwellings over the period to 2030 (2019/2020 – 40 dwellings; 2021/2022 – 40 dwellings; 2022/2023 – 45 dwellings)</p> <p>And rename following section “(b) National Planning Policies and Guidance”</p>
Page 93	– text under “Adoption Process” in third column – amend to read as follows:

	“It is anticipated that this Masterplan will be adopted by the Cabinet of Ashford Borough Council in October 2019.”
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Agenda Item No: 9

Report To: Cabinet

Date of Meeting: 10th October 2019

Report Title: Local Authority Lottery

Report Author & Job Title: Michelle Byrne, Funding and Partnership Officer

Portfolio Holder for: Cllr. Peter Feacey, Culture, Tourism and Leisure

Summary: Voluntary Sector organisations are finding it increasingly difficult and time consuming to fundraise sufficient income to ensure sustainability of the much needed community services they provide. In order to support the voluntary sector and help their growth, it is proposed to introduce a local authority lottery scheme, which will assist local good causes to raise funds for their own projects and possibly provide a regular income stream to support delivery and capacity. The scheme has a secondary benefit of promoting and raising the profile of the valuable work of the local voluntary sector and their offer.

This report seeks Members approval to undertake the necessary legal and project management tasks to develop and deliver a local authority lottery scheme for the benefit of the local voluntary sector and the residents of the borough.

Key Decision: Yes

Significantly Affected Wards: Borough wide

Recommendations: The Cabinet is recommended to:-

- I. **Agree for a set up budget of circa £11,000 to be allocated that will enable a local authority lottery scheme to be launched, and**
- II. **Authorise the Head of Culture, Leisure and Tourism, and the Head of Legal and Democracy in consultation with the Portfolio Holder for Culture, to agree and settle all necessary licences, legal requirements and documents and to contract with an External Lottery Manager to deliver an appropriate local authority lottery scheme for the Ashford Borough.**

Policy Overview: The Council is committed to supporting the Voluntary and Community Sector and acknowledges that their quality services are an important part of delivering the Council's aspiration for active, healthy, strong communities.

Financial Implications:	Initial set up costs and launch of the scheme is approximately £11,000, which includes £5,000 for marketing to ensure the scheme is promoted and advertised widely to maximise its exposure, raise the profile of the local good causes registered, generate interest and encourage lottery sales. Ongoing annual costs are circa £700 to cover the required licence fee and lottery council's membership. This amount is paid by the Council to the Gambling Commission and could be funded from ticket income from the lottery scheme. Ongoing marketing is also important and will be supported as part of available resources.
Legal Implications	Local Authority Lottery schemes are regulated by the Gambling Commission under the Gambling Act 2005 and must be run under an operating licence issued by the Commission, which the Council will apply for and hold annually. In line with other successful local authority lottery schemes, an experienced External Lottery Manager (ELM) will be procured to administer the lottery on behalf of the Council to ensure adherence to the Lotteries Commission requirements.
Equalities Impact Assessment	A summary is provided in the document.
Other Material Implications:	-
Exempt from Publication:	-
Background Papers:	
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Report Title: Local Authority Lottery

Introduction

1. This scheme responds to the growing concern of sustaining a quality voluntary and community sector and members will be aware of the valuable services they deliver across the borough. Collectively they significantly contribute to the health and wellbeing of many different groups and those most vulnerable.
2. Whilst the sector is often successful in securing project funding, it is finding it particularly hard to access grants that will support the on-going revenue costs of its organisation such as rent, utilities, insurance and volunteer expenses. Thus, officers have investigated how the Council could support the sector and propose running of a local authority lottery.
3. Local authority lottery schemes are growing in popularity, as a way of providing a platform supported by the Council that benefits individual organisations in their fund raising effort. There is currently 37 local authority lottery schemes listed with the Lotteries Commission. Since the first lottery scheme, the Aylesbury Vale lottery, launched in 2015, it is reported to have generated more than £200,000 for local not for profit groups and more than 200 good causes are benefiting from their lottery.
4. Local Authority Lottery schemes are regulated by the Gambling Commission under the Gambling Act 2005 and must be run under an operating licence issued by the Commission. Typically, local authorities employ an External Lottery Manager (ELM) to administer the lottery on their behalf and ensure adherence to the Lotteries Commission requirements. There are a number of ELMs operating.

The Proposed Scheme

5. All business of the lottery scheme including purchase of tickets, weekly draws, notification and payment of prizes and payment of income to the registered local good causes are conducted on line. This is wholly managed by the ELM on behalf of the Council.
6. The cost of a lottery ticket is £1 and players must register with the scheme online in order to buy tickets.
7. Local good causes are registered onto the scheme by the Council and explain their individual service and projects. The lottery ticket player allocates which local good causes they wish to receive 60% of the ticket sale i.e. for every pound purchased by a player, they allocate 60p to their chosen local good cause or causes registered on the scheme.
8. The Council will need to set the eligibility criteria for registration by not-for-profit local groups (called good causes). It is proposed that the Portfolio Holder for Culture, Tourism and Leisure, in consultation with appropriate

Portfolio Holders, sets the criteria that officers will then apply to ensure appropriate and ongoing registration by local good causes. Such criteria could include a maximum turn over value to support smaller voluntary and community sector organisations (e.g. average over 3 years of £300K).

9. The remaining 40% of lottery ticket income is used to fund the prizes, the management and registration of the scheme and VAT.

Implications and Risk Assessment

10. For the scheme to succeed in terms of take up and thus delivery high benefit to registered good causes it requires wide promotion, including a launch event, and ongoing marketing that maintains the profile of the scheme once running, including member endorsement in their own wards.
11. Checks built into the registration process for good causes, and ongoing monitoring, similar to those currently applied to the community grants scheme, will mitigate the risk of fraudulent or badly governed good causes signing up to the scheme.
12. A number of measures will be introduced to reduce the risk of problem gambling. Limits will be put in place to ensure individuals cannot buy excessive numbers of tickets. All players must be registered with the scheme before they can play and the online ticket purchase process does not give instant gratification, which is often a driver for excessive gambling.
13. Promotion of the scheme will comply with advertising codes of practice, the Gambling Industry Code for Socially Responsible Advertising and the website will include links to Gamble Aware. Policies to protect individuals from addictive and excessive gambling will be developed and adopted.
14. All financial risk including prize payments is held by the ELM who is insured appropriately.

Equalities Impact Assessment

15. The scheme's processes and registration criteria will ensure that all requirements under equalities legislation will be met and monitored.

Consultation Planned or Undertaken

16. Consultations have taken place with other local authority lottery providers and is on-going with the local Voluntary and Community Sector, although initial conversations with good causes are extremely positive.
17. The review of existing schemes has overwhelmingly proved that Councils are in full support of their lottery schemes given the good management by external lottery experts and the additional funds being raised for the local voluntary sector. They all stressed the need for quality promotion of the scheme to raise its profile and that of the good causes and ensure marketing is ongoing.

Options and Reason for Recommendation

18. The introduction of a local authority lottery will increase and diversify the Council's support of the voluntary and community sector whilst supporting the sector to raise their profile and be proactive in become more self-sustaining. It puts limited pressure on the Council's budget and management of the scheme is supported by the proceeds with limited but appropriate monitoring and support by existing Council staff once set up and running.

Next Steps in Process

19. If approved, next steps will be to agree the criteria of scheme, procure and contract the ELM, and focus on the development of the externally managed web site, whilst addressing the requirements of the Gambling Commission e.g. supporting policies, identifying the Personal Management Licence (PML) Holder and registering with the Lotteries Council. This will require funding of around £6,000.
20. As mentioned above promotion of the scheme and raising public awareness and sign up by players is important to the success of the scheme hence the set up costs include £5,000 for marketing and corporate marketing support will also be crucial.
21. Consultation with other Council's suggests set up can take up to a year particularly given the permissions and licences required but officers will endeavour to bring forward the scheme as swiftly as possible.

Conclusion

22. Consultations with other Local authorities running lottery schemes has shown they can be very successful in providing a regular source of increasingly hard to secure revenue funding to sustain local not for profit groups.
23. Adherence to Gambling Commission requirements and reduction of risk will be ensured by contracting and monitoring an experienced external lottery manager to run the scheme on the Council's behalf while still providing the Council with overall control of the scheme and how it is run.

Portfolio Holder's Views

24. As a champion of the valuable work of the voluntary and community sector, I fully support the approach and benefits that this local authority lottery scheme can achieve. I thank the officers for their thorough research into local authority lottery schemes and have been reassured by their positive impact and growing popularity, thus I recommend the Council accept the recommendations herein.

Cllr Peter Feacey

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Agenda Item No: 10

Report To: Cabinet

Date of Meeting: 10th October 2019

Report Title: Housing – Current Delivery, Finance and Onward Strategy

Report Author & Job Title: Mark James, Development Partnership Manager
Jo Stocks, Senior Accountant

Portfolio Holder Cllr. Bill Barrett

Portfolio Holder for: Housing

Summary: The Council's 30-year business plan for its Housing Revenue Account (HRA) underpins its strategic thinking and helps evaluate forthcoming plans holistically. This is critical when the national focus is on local authorities accelerating delivery and, as this report outlines, the Council is looking to expand its own new-build plans and acquisitions.

The financial model forecasts that the HRA business plan continues to be a robust and viable business and is able to deliver its key priorities, even in the context of a significantly increased programme. However, national political, economic and legislative changes could adversely affect the financial position, so risks must be considered and capacity built into the overall model.

This report includes, as an appendix (Appendix D), the Council's new Affordable Housing Delivery Plan 2019-2023 for members to endorse, which sets out how the right homes will be delivered in the right places and the strategic context in which the delivery programme sits, enabling work with Registered Providers and acquisitions (land and on-street purchases).

Key Decision: No

Significantly Affected Wards: None.

Recommendations: **The Cabinet is recommended to:-**

- I. **Note the progress in delivering the affordable housing programme in the HRA**

- II. **Note the impact of the Housing Department on the corporate agenda, as detailed in paragraph 4**
- III. **Agree the priorities set out in paragraphs 5 & 6**
- IV. **Agree the updated HRA Business Plan and financial projections as set out in the report and in Appendix A**
- V. **Note that Overview and Scrutiny (O&S) will review the HRA Business Plan financial projections as part of the budget scrutiny process**
- VI. **Agree that given the positive impact of street purchases on the overall programme, the existing delegation to the Head of Housing (no.14.9) be amended as set out in paragraph 35**
- VII. **Agree to delegate authority to the Head of Housing, in consultation with the Head of Finance and IT and the Portfolio-holder for Housing, to bid for and/or purchase land suitable for housing development, up to a value of £5m., subject to the availability of sufficient funding (as explained in paragraph 65)**
- VIII. **Agree the Council’s plans for future housing delivery as set out in Exempt Appendix B, which represents the full delivery programme, and delegate authority to the Head of Housing in consultation with the Head of Finance and IT and the Portfolio holders for Housing and Finance and IT to vary the programme as necessary**
- IX. **Endorse the detailed delivery plan entitled “Building on Solid Foundations” at Appendix D**

Policy Overview:

Housing Strategy Framework Priority 1 – Improve the supply of affordable housing to meet local housing needs in urban and rural areas, and Housing Statement 2018-2023

Reform of HRA – Cabinet endorsed five key priorities for further spend, as a result of greater freedom within the HRA.

Corporate Plan – High Quality Homes to meet local need and Kent Forum Housing Strategy 2012–2015, affordability and choice.

National Housing Strategy 2011 – delivering new homes under the affordable rent model.

Financial Implications:

This paper provides an update to the financial position of the HRA over the next 30 years. The financial model forecasts that the HRA business plan continues to be a robust and viable business and is able to deliver its key priorities.

The financial model is a tool for testing existing priorities, the impact of changes in Government policies and changes in key business sensitivities such as inflation to ensure that Ashford's plans remain affordable.

Delivery of new build Council housing is achieved using both grant funding and HRA cash resources. This ensured the HRA remained within the debt cap and met its debt repayment commitment.

Legal Implications

Homes England requires the Council to enter into a formal agreement in relation to grant funding it provides.

Equalities Impact Assessment

See attached at Appendix C. The assessment does not identify any adverse impacts on any client group.

Other Material Implications:

Design and construction standards will comply with Ashford spatial standards (complying with Residential Space and Layout SPD), Lifetime Homes (a standard the Council has set out for Registered Social Landlords) and Code for Sustainable Homes level 3 (which has been committed to for Homes England purposes), and level 4 on energy. Emphasis on the building envelope will deliver the greatest benefits for landlord and tenant.

Exempt from Publication:

Yes, Exempt Appendix B

This is not for publication by virtue of Paragraphs 2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

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Report Title: Housing – Current Delivery, Finance and Onward Strategy

Introduction and Background

1. From 2019, the Housing Revenue Account (HRA) Business Plan, and the Affordable Housing Delivery Programme reports, both previously received by Cabinet members separately, will be fused together. Doing so provides better parallels to be drawn between the two documents, illustrates the collaborative working of Finance and Housing, and enables comparisons to be made between the viability of the financial plan and the projects Housing are undertaking.
2. The Council has delivered 311 new homes since it was permitted to build again in 2011 – this puts the council firmly in the fore in terms of delivery in the county. Members wishing to see the breakdown of these homes will find it provided in Appendix E of this report – please note these do not include street purchases as these would be pinpointed by address, though 65 have been acquired since 2014.
3. The HRA debt cap was removed in October 2018, a move welcomed by the Council. This followed a bidding process to the Ministry for Housing, Communities and Local Government (MHCLG) in September 2018 where 25 potential sites were identified, that could have seen the debt cap increased by a further £61m, building a proposed 334 homes. Whilst, the governments proposed timescale, in which the projects needed to have been delivered, was short and individually the schemes were viable to deliver, delivering them all concurrently left the HRA Business Plan at risk. Therefore, following the abolition of the HRA debt cap, the Council took the time to pause, reflect, and establish a pipeline for meaningful and measurable delivery. These sites are listed in Exempt Appendix B.
4. In terms of corporate policy and projects, Housing is an essential delivery vehicle. With 5,000 dwellings, which equates to around 10% of the borough's housing stock, the council is ideally placed to be a leader in tackling an number of key areas, such as:
 - Homelessness – The HRA will support the corporate agenda in reducing the pressure on the general fund as a result of the costs of temporary accommodation
 - Climate change – by focussing on having carbon neutral homes the council is able to reduce some of the financial burden for its tenants. Also, by leading on climate change the council will be able to make a real impact on carbon output in the borough
 - The council's Corporate Plan is emerging and in addition to working on the carbon neutral agenda, the council's housing delivery will clearly align itself to its other emerging themes and be mindful of the strong commentary around fostering communities in the Social Housing Green Paper

- Addressing Housing Need – Appropriate good quality housing has been shown to form a strong role in the foundations of health and wellbeing, forming a solid base from which to encourage and enable people into work and to improve their life-chances.
 - Place-making – the council is committed to making Ashford an attractive place to live and rejuvenating its stock is a key part of this vision.
5. The Current Housing Framework Key Principles have been reviewed and updated and therefore members are asked to agree the amended priorities for the HRA as set out below:
- i. Continue to build/acquire new homes for a range of tenures and needs, including shared ownership and homes for rent; utilising all available internal and external funding streams, as appropriate
 - ii. Plan to rebuild/remodel the council sheltered accommodation across the borough to provide high standard accommodation for older and vulnerable persons, including ex-forces applicants, from the borough
 - iii. Decent Homes Standard to be maintained over the 30 year Business Plan cycle
 - iv. Provide an adequate programme of disabled adaptations to meet the needs of disabled tenants within a reasonable timeframe
 - v. To contribute towards the Council's corporate priorities as set out at paragraph 4 above.
 - vi. To work hard to ensure the council's affordable housing meets the carbon neutral agenda (as set out at Council in July 2019). Particular attention will be given to this through the new build programme and where possible through retrofitting measures in its older stock.

Assumptions

6. The Business Plan is built using a number of assumptions.
7. The starting point for building the model is to use the current year (2019/20) estimates and forecast from that point, building in known items of income and expenditure along with a number of other assumptions, based on historic evidence, as well as advice from experts, who have more experience and knowledge in areas such as interest rates and inflation.
8. The model does not allow for slippage in spend, therefore, if there are any underspends or slippage then, as a ring-fenced account, these un-spent funds are put into reserves and re-invested, sometimes this means bringing a programme forward, but where this isn't appropriate investment may be made in a later year, for example in street purchases.
9. By law, the HRA must not have a negative balance, therefore a minimum balance of £1,000,000 has been maintained throughout the life of the model.
10. In addition to these requirements a number of other assumptions have been made, as follows:

Stock assumptions:

11. The starting position of the stock is as follows:

General needs – Affordable rent	481
General needs – Social	3,765
Sheltered – Social rents	325
Sheltered – Affordable rents	110
Shared Ownership	8
PFI	310
Total	4,999

12. Stock will then vary depending on the level of Right to Buys, as well as any new builds or purchases that are made throughout the life of the model.
13. Right to Buys in the model are set at 32 per annum, it is for this reason that investment in both purchasing and building units is a priority. A reducing stock base will make managing both the waiting list and homelessness increasingly problematic year on year. These assumptions will be reviewed as more information becomes available and trends on sales levels emerge.
14. Capital receipts received for the sale of Council properties, under the Right to Buy (RTB) scheme, have been built into the financial model. It should be noted that capital receipts from Right to Buys are also applied to General Fund capital programme items, such as Disabled Facilities Grant (DFG) and community projects.

Rental Income

15. Rent income has been calculated in line with Government formula. After four years of 1% rent reductions (ending in 2019/20) Government have advised that rents will revert back to an annual increase of CPI + 1% from 2020/21, for at least 5 years. From 2025/26 the model assumes an increase of CPI + 0.5%.
16. The Council's conversion programme (from social to affordable rents, initially reported to Cabinet in March 2015) has, between 2015 and 2019, made conversions totalling around £1,400,000, well within the £2,100,000 limit originally set. However, such conversions are no longer being undertaken because arrears, though consistently well managed by the Area Management Team, are slightly higher in affordable rent rather than social rent properties.
17. The Council's approach will now be seek to deliver 'affordable' rents (up to 80% of market rent) but as close to social rent (60% of market rent) as is viable within the Business Plan to ensure a return on each project. Homes England are happy with this approach.

Management Costs

18. Of course, as more homes are introduced into stock, it is important to ensure that practically and reputationally there is appropriate resource to manage these homes. Therefore, it is necessary to increase the resilience of the team in this regard. As such, 3 posts have been added to the management costs in the future to accommodate these pressures and manage the

councils dwellings in alignment with the principles set out in the Housing Framework and its new affordable housing delivery plan.

19. Universal Credit (UC) went 'live' in Ashford on 20 June 2018. Up until June 2018 tenants who required assistance with rental payments applied directly to the council's finance department. Those in receipt of housing benefit had this paid directly to source, reducing the risk of unpaid rent. However, Universal Credit, is paid directly to the claimant on a monthly basis, approximately six weeks after the initial application. This has resulted in a change of focus for the housing management team when recovering rental payments.
20. Up to 31st March 2019, 295 tenants had moved over to UC, to accompany the existing 25 'legacy claimants'. At the end of March 2019 the average household UC debt in the Council's housing equated to £64.87. Following the introduction of a new rule seeing families with three children or more now being eligible for UC, there are now, as of 1st September 2019, 445 tenants are on UC, with an average household UC debt of £86.19.
21. The Council maintains a close working relationship with residents and the Department for Work and Pensions. The majority of the 445 tenants are new claimants who have been on housing benefit for many years and have had to adapt to the legislative changes that have seen them having to pay rent for the first time. The council's area managers for income and arrears will continue to work closely with households on UC and maintain and reduce arrears levels.

Maintenance Programme

22. Each year the Council updates its 30-year maintenance plan to account for the work completed in the previous year, changes to the estimated costs, rescheduling of work, any exclusions and the inclusion of new requirements – for example compliance and carbon reduction measures.
23. Using its component survey data of approximately 54,000 records, the Council creates an investment programme for each property. It calculates this based on the last renewal date and the components' expected life cycle. Lifecycles are based on government standards, such as the decent homes standard, guidance from professional bodies such as the Royal Institute of Chartered Surveyors (RICS), supplier product specifications and previous experience. Individual property plans are then used to build next year's programme and undertake condition surveys for each work-stream to ensure the predicted work is required at this time. Property components identified as suitable for deferral are rescheduled and the individual property records are updated accordingly.
24. The maintenance programme is primarily a renewal programme of the 54,000 component items tracked. Although products, materials, and standards change and often improve over time, any perceived improvements are due to replacing a component at the end of its serviceable life with a new one. The fixtures and fittings the Council specifies and installs are of good quality, selected for their performance and serviceability over their respective lifecycles. For example, bathrooms and kitchens have a planned renewal of 30 or 20 years respectively. The fixtures and fittings selected must be affordable and appropriate, meaning they are robust/low maintenance and serviceable throughout the whole component lifecycle.

25. The Council has committed to be Carbon Neutral in ten years' time (Council July 2019). In order to facilitate this, initial additional annual costs have been included for the first 10 years of the model. With 20% per annum added to the Planned Maintenance budget and an additional 10% to the new build schemes. These are very early estimates and officers are doing further work in the coming months to assess these costs more accurately. It is likely that the 20% planned maintenance figure will only help to accelerate improvements in the SAP value and CO₂ footprint of the Council's portfolio with an upward revision required once a portfolio improvement plan has been fully undertaken.
26. The Council is expected to spend an average of £1,040 per property per annum (over the life of the plan). This includes the additional 20% to meet the requirements of the carbon neutral agenda. According to the consultant, engaged to provide the Business Plan model, this estimate is slightly lower than other councils; those councils do not have the additional cost of carbon neutrality built into their assumptions.
27. The reason for this low capital maintenance spend is as a result of ensuring that all dwelling meet decent homes standards, as a result all properties are in a good condition and the replacement time of some elements can be extended.

Inflation Forecast

28. Inflation is a key sensitivity in any financial modelling; the HRA financial model applies a number of assumptions to costs and income items in the budget.
29. Inflation assumptions have been updated in the model to reflect those used in the Medium Term Financial Plan, these assumptions were provided by Arlingclose the Council's treasury advisors.

Interest Rates and Amounts Set Aside to Repay Debt or Invest in Future Capital Projects

30. The vast majority of the HRA's current borrowing was taken out at fixed rates, interest rate risk is largely managed through this process. The interest rate risk of any future borrowing will need to be assessed when future borrowing is required.
31. The model assumes the authority will use HRA balances to repay additional borrowing where it can, while holding a minimum reserve balance of £1,000,000 for the life of the plan. Any surplus resources will either be invested in new projects or used to repay the housing debt.

Affordable Homes Programme Delivery

32. The proposed Affordable Housing Delivery Programme 2019-2025 can be found at Exempt Appendix B. This includes all sites, those that have approved for further investigation by Cabinet members and included in the HRA Business Plan, as well as those not included in the financial modelling at this stage or awaiting approval from cabinet to proceed.
33. If any new initiatives are developed and approved by Members they will be assessed on an individual basis to ensure they are sustainable and affordable and have an acceptable payback period, usually within 25 years.

At which point they will be incorporated into the business plan financial projections and the impact on the business plan will be costed and measured and reported back to Members when those initiatives are reviewed.

34. The model assumes that street/off plan purchases will continue until 2024/25, with 25 purchases in 2019/20, at an estimated cost of £5,000,000 and 75 additional units each year (from 2020/21 until 2024/25) at an estimated cost of £15,000,000. These purchases will be partly funded by the use of 'one for one' money. However, a consultation with Government last year did indicate that this type of purchase may be restricted in the future, but, at the time of writing, this has not been confirmed. Members are advised that each year's business plan will revise these figures and the delegated authority will be based on the yearly revisions identified in the reports considered.
35. Delegation 14.9 (approved in June 2007) provides as follows: "After consulting with the Head of Finance and IT, Portfolio Holder and Ward Member(s) the Head of Housing to determine whether to repurchase a property formerly sold under the Right to Buy subject to the availability of sufficient funding, consideration of the Housing Revenue Account Business Plan and the impact upon the Council's Right to Buy pooling liability, (Minute No. 76/6/07 refers)". However, to enable officers to act quickly processes need to be streamlined; therefore, where some members are currently consulted on acquisitions for every street purchase, delegated authority is now being sought (as long as they fall within the agreed financial annual limits set in paragraph 34 and in future reviews of the HRA Business Plan) for all purchases to be approved by the Head of Housing after consultation with the Head of Finance and IT, and subject to the availability of sufficient funding, consideration of the HRA Business Plan and the impact upon the Council's Right to Buy pooling liability. In future this can be exercised for a property which was not previously sold under Right to Buy (i.e. was originally constructed by a third party). If the financial annual limit set in paragraph 34 or any future review of the HRA Business Plan would be exceeded by a proposed purchase, then prior consultation will be required with the Portfolio Holders for Housing and Finance and IT.

Other Assumptions Included in the Model

36. The costs of three additional staff members, to facilitate the assessment, acquisition, and subsequent management of the additional units subject to approval at management team, are included within the assumptions in the Business Plan. Two further posts are part-funded by the HRA where they will add real value to the ongoing, holistic work of the Council in providing and managing the additional properties.
37. Following discussions with councillors, work on play areas is due to commence in 2020/21, it is thought that this project will take around 5 years to complete, at a total cost of around £300,000.
38. The authority is part of a Government scheme to re-invest Right to Buy receipts in affordable housing, known as 'One for One Replacement', as a result the Council retains Right to Buy for this purpose. These receipts need to be used within three years for the provision of additional affordable housing units and can account for up to 30% of the build cost, per unit. If these receipts are unused within 3 years, they are returned to the Secretary of State with an interest charge of 4% above base at the time of the funds being held

(compound interest chargeable). Current projections show that this money is on track to be spent by the deadline, although officers will continue to monitor this on a regular basis.

Risks to the HRA Business Plan

Implications and Risk Assessment

39. The Business Plan financial projections continue to be viable and include the current spending commitments.
40. As the Business Plan is built over a 30-year period it is inevitable that government policy will change. The current model is based on the current regulatory framework. In the event of any material changes to this framework the Business Plan will need to be reviewed.
41. Other risks to the Business Plan include variations in costs, for example, capital repairs and maintenance may be higher or lower than anticipated, which over the life of the Business Plan, could have a substantial impact. In addition to this, inflation is also a risk, which not only affect materials and contractor costs but also rental income, for which increases are based on CPI.
42. Interest rates continue to be a risk to the model, a 1% increase in interest rates in year 2 would add another 5 years to the payback of debt. So, any significant fluctuations in the interest rate over the life of the plan could have significant consequences.
43. The on-going introduction of Universal Credit leaves the HRA business plan open to a degree of risk, in particular, to the council's dwelling income. This risk is one that is mitigated by the work being done by the Housing Team, detailed in paragraph 19.
44. The Business Plan model includes a number of sites, as detailed in Exempt Appendix B to this report. However not all sites have completed a legal conveyancing process or been given planning consent which puts completion at risk. To reduce this risk, alternative sites will be sought to ensure a steady pipeline of delivery comes forward, nonetheless some may fall away reducing the delivery commitment.

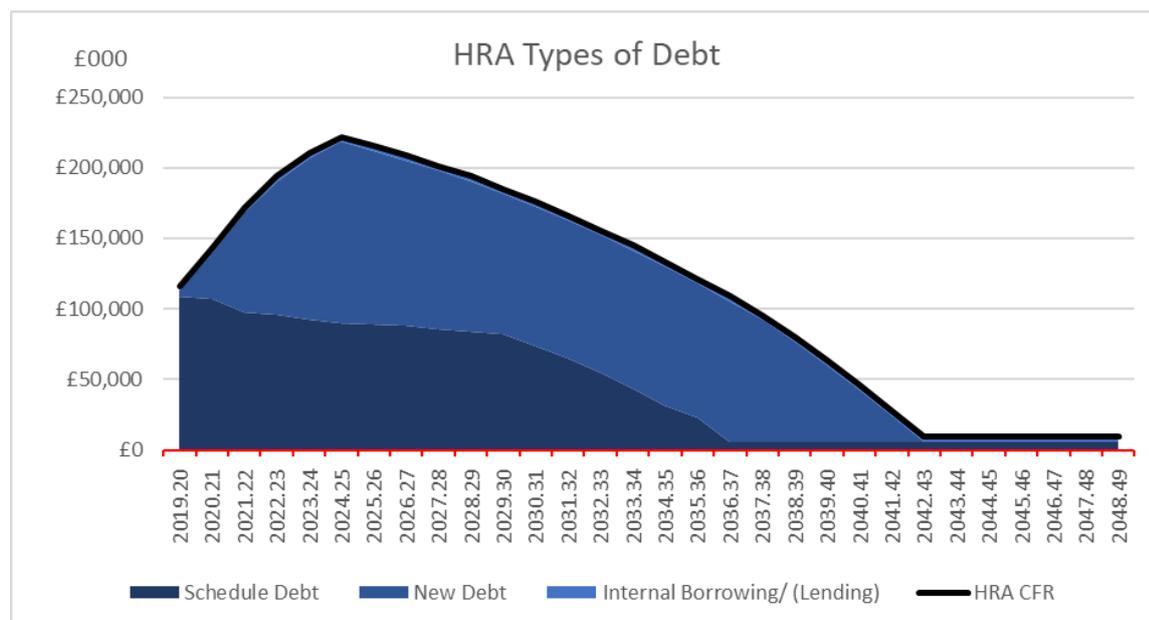
EU Exit

45. At the time of writing, the UK is set to leave the EU on 31 October 2019, and the potential impact of Brexit is unclear. However, work is being done on this corporately to determine any local impacts on how the Council operates. However, from a business planning perspective, officers will continue to heed the advice from the Council's treasury advisors and ensure the Business Plan is updated in line with any advice going forward.
46. It is thought that the major risks at this time could be in relation to the labour force (primarily for the Council's contractors), and additional costs arising through currency fluctuations. Likewise, there may be a reduction in the availability of materials, therefore costs may increase
47. Officers will continue to review these issues and will liaise with Members should mitigating action be needed, such as delaying projects to ensure the Council has the resources available.

Modelling Outcomes

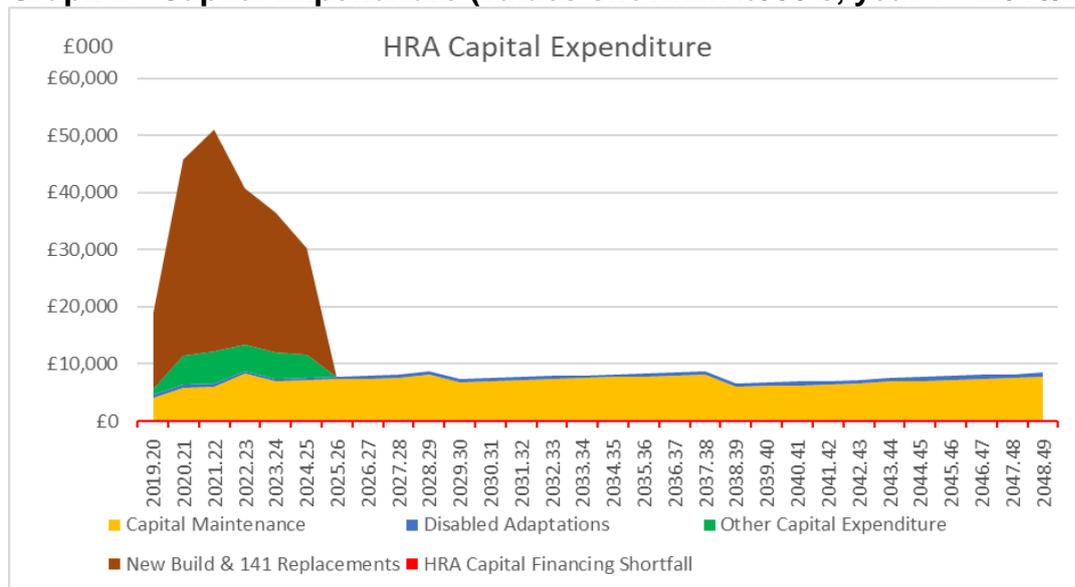
48. The model shows that the HRA is balanced and sustainable throughout the 30 years projected. The model allows the HRA to meet the cost of day-to-day management and repairs, and investment in the projects detailed above.
49. The model is based on the assumption that the Council will be re-paying debt, and in the current model this is forecast to occur around 2042/43. A table illustrating the model for the first 10 years of the business plan is attached to this report at Appendix A. This table shows the cash inflows and outflows for the HRA and provides an estimated HRA balance at the end of each year.

Graph 1 - Amount of HRA Debt Held (values shown in £000's, year 1 – 2019/20)



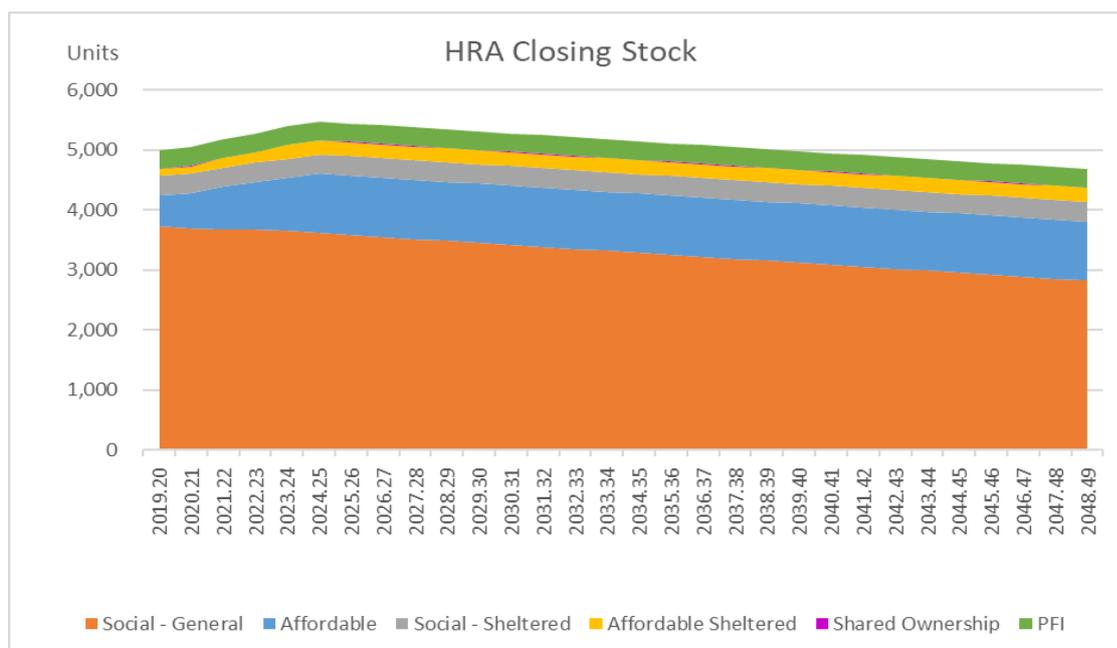
50. Graph 1, Graph 1 above, shows the HRA CFR (the Capital Financing Requirement is a measure of the level of debt needed) for the life of the HRA Business Plan and how it is made up. The current debt portfolio (shown in dark blue) reduces over time, whereas additional borrowing is taken out, not only as the existing loans mature, but also to facilitate the planned projects.
51. The HRA debt peaks in 2024/25 at around £222,000,000, to facilitate the capital programme, however, this will be largely re-paid by 2042/43. This is broadly consistent with the modelling outcomes previously reported, the schemes added to the New Build Programme tend to have a 25-year payback period and as schemes are added each year the debt profile rolls forward an extra year.
52. The profile of debt (as shown in Graph 1) is based on the current, known projects; this could change in future, depending on proposals, not included in the model, or any changes in priorities, as agreed by Members. This is a flexible approach, which will be monitored as new projects are considered and approved.

Graph 2 - Capital Expenditure (values shown in £000's, year 1 – 2019/20)



- 53. The Business Plan model also tracks the levels of planned capital expenditure and the availability of resources, and highlights any years where there are insufficient resources available to meet the financial demands.
- 54. Graph 2, above, shows the make-up of the capital programme, the majority of the programme is new build and street purchases. Funding is coming from a variety of sources, not only borrowing, but also, reserves, one-for-one money, and grants (such as those from Homes England). If there were any unfunded projects these would show in red.
- 55. If spend did exceed the availability of funds then mitigating action to make savings or delay projects would be considered. However, the programme, as it currently stands, is affordable and sustainable over the life of the plan.

Graph 3 - Forecast Stock numbers (values shown in £000's, year 1 – 2019/20)



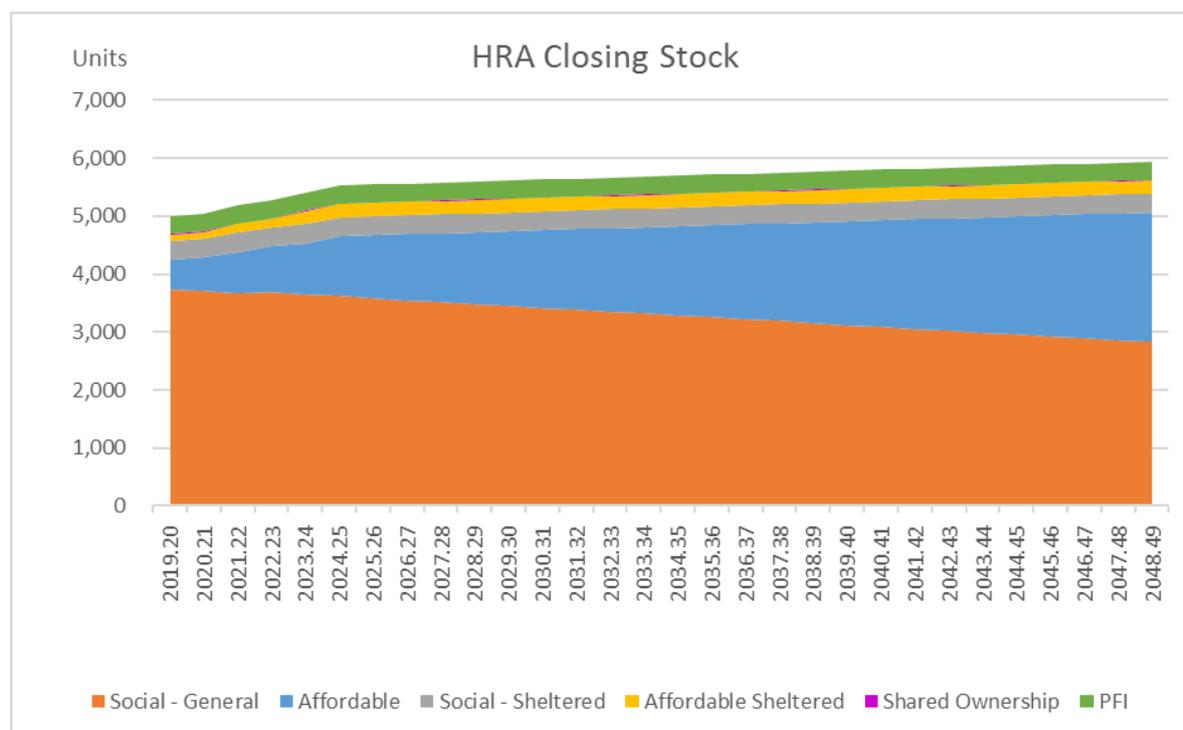
- 56. The stock numbers in the table above are based on the projects that are likely to go ahead, as per the assumptions in the model. Stock numbers peak in 2024-25 at around 5,480 (compared to current unit numbers of 5,000)

showing the positive impact of street purchases. Once the current build programme is completed unit numbers then decrease, year-on-year, in line with right to buy sales. Maintaining and increasing stock numbers is crucial to the management of the housing waiting list, it also assists in the reduction of homelessness, as it provides an opportunity to help move on homeless families from temporary accommodation.

- 57. It is likely that projects and street purchases will continue after 2024/25, so the aspiration is that these stock numbers will continue to increase, however there is not enough detail available to illustrate the financial implications at this time.

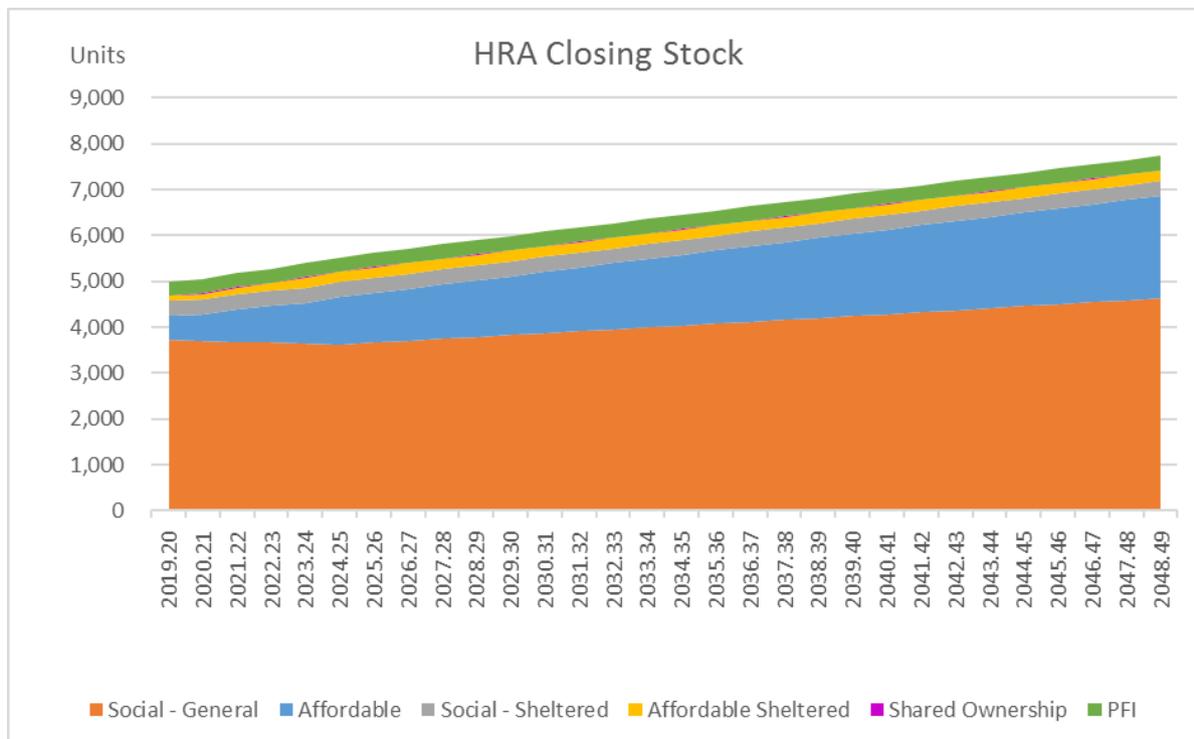
Graph 4
Forecast Stock numbers (values shown in £000's, year 1 – 2019/20) – continued building

- 58. Graph 4, below shows how HRA housing stock numbers would look if building were to continue at an average of 50 properties every year, from 2024/25, which will be possible if the Council continues to successfully identify sites and acquire them using its delegated authority from Cabinet. Please note, this graph is for illustrative purposes only, as the financial implications of increasing the stock has not been fully modelled:



Graph 5
Forecast Stock numbers (values shown in £000's, year 1 – 2019/20) – continued building and continued street purchases

- 59. Graph 5, below, shows the impact, on stock numbers, of maintaining street purchases after 2024/25, as well as continuing new build.



60. Again, the implications of this have not yet been included in the model, and are only included here for pictorial representation at this time. However, it is important to illustrate that if Members chose to continue building and buying units the impact this could have, particularly when considering the housing waiting list and the growing homelessness numbers.

Wider Policy Context

61. Attached to this report (Appendix D) is the Council's affordable housing delivery plan – called “*Building on solid foundations – delivering affordable homes in Ashford – our delivery plan for 2019-2023*”. This document clearly sets out the Council’s plans to deliver new homes, acquire more street purchases and sites, where it will intervene in the marketplace if required and how it will enable the delivery of registered providers. An analysis of the current situation sets out the context in which the Council is operating and all aspects of delivery are considered.

62. As well as the overall strategy set within the delivery plan, risks are identified for the Council’s affordable homes programme, enabling work and acquisitions. The risks affecting the HRA specifically are outlined below:

- Lack of pipeline within the affordable homes programme - the Council must develop a pipeline to ensure there is a continuous stream of properties coming forward, ensuring continual delivery of numbers
- Stigma attributed to social housing - the Council must acquire and dispose of stock as appropriate to ensure tenants are not perceived to be any different to those in other tenures
- Delivering on land the council acquires, through the HRA - the Council must establish a robust risk assessment process for site acquisition and utilise the existing processes, which can be refined, to monitor progress through acquisition and build

- Corporate awareness of financial risk – officers will update the HRA Business Plan annually to ensure visibility and the financial viability of current plans – and awareness of the Council's ability to move people on from temporary accommodation
 - Reputational risk - not delivering affordable housing in the numbers required, when there is a national focus on such delivery, will lead to negative reputational effects for the Council
63. Therefore, considering all of the above in paragraphs 61 and 62 members are asked to endorse the delivery plan and its plan actions.
64. In the December 2018 cabinet report, members were provided with an update on a range of different delivery mechanisms that were, and to some degree still are, being considered by the Council. Though the main focus remains the Council's new build programme, street purchases and other site acquisitions, the object remains to equip the authority with as many tools as possible to deliver affordable housing across the borough. These projects are predominantly General Fund projects, which do not form part of the HRA Business Plan. They will also all align in their delivery phase with the Council's wider delivery policy and Housing Framework.
65. The Council is looking at the possibility of working with another Registered Provider(s), local authority, or even developer(s) operating in the borough to deliver an increased volume of affordable housing – i.e. an amount it could not deliver on its own. The benefit of adopting this approach is that the Council would retain a healthy stake in developments across the borough without putting its HRA at risk. The Council would bear only a proportion of any risk while maintaining an influence over, and possibly generate revenue from, the management and letting of the stock once built. The Council is currently establishing a housing delivery framework which will attract several Registered Providers and will fuse together the skills and abilities both parties have. This report includes a recommendation (VII) to raise the delegated authority of the council's officers to agree land and site acquisitions to £5m, enabling it to acquire larger sites and potentially sites that it can then work on in partnership with Registered Providers. These acquisitions would be achieved under a modernised, streamlined version of the delegated authority agreed by the Cabinet in December 2018 (Minute 245(v)/12/18).

Equalities Impact Assessment

66. Members are referred to the attached assessment at Appendix C. There are no adverse impacts identified.

Consultation Planned or Undertaken

67. Consultation will be held with ward members where acquisitions or proposals fall in their ward boundaries.
68. All sites within any future delivery programme are subject to planning approval and the formal consultation process as part of that. Prior to the planning application process further formal consultation will take place with local residents and ward members – importantly before proposed plans are

submitted – giving them an additional opportunity to respond to the proposals outside of the formal planning consultation process.

69. This additional stage of consultation gives local residents and other stakeholders a genuine opportunity to understand and influence the proposals, talking through the likely impact in more detail with officers and any experts involved in assisting the Council. Previous consultations have proved very successful and the adopted approach to engage local people will continue.

Next Steps in the Process

70. The Council will deliver the schemes it has outlined in Exempt Appendix B, which form its delivery programme. The Council will map the process for those that have not yet been approved by Members or included in the HRA Business Plan model, and will bring each site forward for consultation with all relevant stakeholders. Detailed project plans will be developed and necessary preparatory work and site investigations will commence as required. Relevant portfolio holders will be kept informed as the Council's Housing Service maintains its role as a thought leader for the sector.
71. The HRA Business Plan is used as a basis for building the 2020/21 budget, although officers continue to work on the assumptions in the Business Plan as new information becomes available. The 2020/21 draft budget will be presented to Overview and Scrutiny on 14 January 2020, with the final budget report going to Cabinet and Council on 30 January 2020 and 21 February 2020, respectively.

Conclusion

72. The report lays out the work that has been undertaken by the Council since the removal of the debt cap. The Council has taken time to assess the current marketplace and the appetite for delivery among councillors, officers and stakeholders. Horizon scanning remains a vital element of building and the external factors that could aid or hinder future plans have been carefully considered and set out.
73. This report marks an important moment, the decision taken by members in agreeing this report starts an expanded programme of acquisition, continued, targeted building and greater partnership working. The Council's established pipeline for delivery will provide greater certainty for the Business Plan, greater numbers for members in next year's report and, for those on the waiting list, it will show that this authority continues to value delivering genuinely affordable housing in its HRA.
74. This Council prides itself on the strength of its proven track record in this sector – both for residents with general needs and the older population. Furthermore, Housing is a service that spans both the General Fund and the HRA, and is therefore aware of its responsibilities to mitigate pressures in the General Fund through homelessness solutions such as Christchurch House and 112 Beaver Road, as well as increasing supply in the HRA to alleviate some of the pressure on the housing waiting list.

Portfolio Holder's Views

Portfolio Holder for Housing

75. I am happy to endorse this report. With the HRA debt cap now removed and a shifting political landscape nationally, the Council has paused to consider what is deliverable and what is affordable against an uncertain backdrop. This measured approach is set out for all to see, both in this report and its appendices, including the detailed delivery plan for 2019-2023, which I am pleased to see published and have contributed to.
76. The fact we have delivered 311 homes since 2011 puts us at the forefront of new-build delivery in the county, and the Ministry of Housing Communities and Local Government and Homes England are well aware of our ambition to go far beyond this. Furthermore, our development forums are truly valued by the registered providers who want to invest further in our borough given all that we are achieving in terms of wider regeneration.
77. This report sets the tone for future delivery – increasing stock numbers, catering for the needs of an ageing population and maximising resources – but crucially says that it is also affordable. The fusion of the HRA Business Plan and Delivery Programme reports provide members with greater clarity on our overall direction and the viability of our plans.
78. Ashford is renowned for its strong track record in delivering affordable housing, both itself and through its colleagues in registered providers, and I am pleased to see this will continue.

Portfolio Holder for Finance

79. I am pleased to note this combined report which highlights more clearly the impact of decisions taken in the HRA on the Business Plan. It illustrates that officers in Housing and Finance are working closely and that we are thinking holistically about delivery.
80. In what I see as a great credit to all involved given the uncertain environment in which we are operating, the Business Plan is affordable and sustainable, despite significantly increased delivery, and the plan remains robust with debts showing as repaid. I am heartened by the ongoing reviews that Finance and Housing are committed to having.

Contact and Email

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82. Jo Stocks (jo.stocks@ashford.gov.uk)

HRA Business Plan (extract) – Top level budget summary to 2028/29

Description	1 2019.20	2 2020.21	3 2021.22	4 2022.23	5 2023.24	6 2024.25	7 2025.26	8 2026.27	9 2027.28	10 2028.29
Income										
Gross Rental Income	£24,983	£25,942	£27,438	£29,153	£30,881	£32,653	£33,689	£34,342	£35,006	£35,683
Void Losses	-£125	-£130	-£137	-£146	-£154	-£163	-£168	-£172	-£175	-£178
Other Rental Income	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Tenanted Service Charges	£1,142	£1,171	£1,200	£1,230	£1,261	£1,293	£1,325	£1,358	£1,392	£1,427
Leasehold Service Charges	£112	£115	£118	£121	£124	£127	£130	£133	£136	£140
Non-Dwelling Income	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Grants	£3,000	£3,000	£3,000	£3,000	£3,000	£3,000	£3,000	£3,000	£3,000	£3,000
Other Income	£38	£39	£40	£41	£42	£43	£44	£45	£46	£48
Total income	£29,151	£30,137	£31,658	£33,399	£35,153	£36,952	£38,019	£38,706	£39,406	£40,118
Expenditure										
General Management	-£9,511	-£9,820	-£10,046	-£10,258	-£10,474	-£10,695	-£10,920	-£11,150	-£11,385	-£11,624
Special Management	-£769	-£785	-£801	-£818	-£836	-£853	-£871	-£890	-£908	-£928
Other Management	-£954	-£973	-£992	-£1,012	-£1,033	-£1,054	-£1,075	-£1,096	-£1,119	-£1,141
RRSL Penalty	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Bad Debt Provision	-£209	-£217	-£230	-£244	-£258	-£273	-£282	-£287	-£293	-£299
Responsive & Cyclical Repairs	-£3,478	-£3,549	-£3,620	-£3,724	-£3,802	-£3,891	-£3,972	-£4,086	-£4,174	-£4,281
Other revenue expenditure	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Total expenditure	-£14,921	-£15,344	-£15,689	-£16,057	-£16,402	-£16,765	-£17,120	-£17,509	-£17,878	-£18,273
Capital financing costs										
Interest paid on debt	-£3,770	-£4,216	-£5,294	-£6,257	-£6,960	-£7,445	-£7,517	-£7,297	-£7,083	-£6,832
Interest paid on 141 receipts	£0	£0	£1	£1	£0	£0	£0	£0	£0	£0
Debt management expenses	-£86	-£88	-£89	-£91	-£93	-£95	-£97	-£99	-£101	-£103
Interest Received	£61	£37	£23	£23	£25	£28	£36	£55	£74	£94
Depreciation	-£5,575	-£5,687	-£5,800	-£5,916	-£6,035	-£6,155	-£6,278	-£6,404	-£6,532	-£6,663
Capital financing costs	-£9,370	-£9,953	-£11,161	-£12,240	-£13,062	-£13,667	-£13,856	-£13,744	-£13,642	-£13,504
Appropriations										
Revenue provision (HRA CFR)	-£1,611	-£2,000	-£4,863	-£2,000	-£5,582	-£6,734	-£6,733	-£7,423	-£7,860	-£8,322
RCCO	-£4,510	-£3,325	£0	-£2,995	£0	£0	£0	£0	£0	£0
Other appropriations	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Appropriations	-£6,121	-£5,325	-£4,863	-£4,995	-£5,582	-£6,734	-£6,733	-£7,423	-£7,860	-£8,322
Net income/ (expenditure)	-£1,261	-£484	-£54	£106	£107	-£214	£309	£30	£26	£20
HRA Balance										
Opening Balance	£2,634	£1,373	£889	£835	£941	£1,048	£833	£1,143	£1,173	£1,199
Generated in year	-£1,261	-£484	-£54	£106	£107	-£214	£309	£30	£26	£20
Appropriated in	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Appropriated out	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
Closing Balance	£1,373	£889	£835	£941	£1,048	£833	£1,143	£1,173	£1,199	£1,218

Homes delivered since 2011

Site	Properties (tenure = affordable rent unless specified)	Building	Status	Handover
Hunter Close, Ashford	3 x 2-bed houses	2 bed House	Completed	23-Mar-11
Towers View, Ashford	5 x 1-bed bungalows	1 bed Bungalow	Completed	31-Mar-11
Towers View, Ashford	3 x 2-bed houses	2 bed House	Completed	31-Mar-11
Towers View, Ashford	2 x 2-bed bungalows	2 bed Bungalow	Completed	31-Mar-11
Breadlands Road, Quarry Close, Willesborough	7 x 2-bed houses	2 bed House	Completed	27-Apr-11
Blake Court, Willesborough	3 x 3-bed houses	3 bed House	Completed	31-May-11
Gerlach House, Ashford	2 x 1-bed flats	1 bed Flat	Completed	31-May-11
Orchard View, Bethersden	3 x 2-bed bungalows	2 bed Bungalow	Completed	11-Oct-11
The Chennells, High Halden	4 x 1-bed flats	1 bed Flat	Completed	04-Nov-11
Nine Acres, Kennington	2 x 2-bed bungalows	2 bed Bungalow	Completed	11-Nov-11
Sotherton, Willesborough	4 x 1-bed flats (for people with learning difficulties)	1 bed Flat	Completed	17-Nov-11
Sotherton, Willesborough	1 x 1-bed bungalow (for a person with learning difficulties)	1 bed Bungalow	Completed	17-Nov-11
Arlington, Ashford	3 x 3-bed houses	3 bed House	Completed	01-Dec-11
Singleton Road, Ashford	4 x 2-bed houses	2 bed House	Completed	01-Dec-11
Bybrook Road, Ashford	2 x 3-bed houses	3 bed House	Completed	07-Dec-11
Bybrook Road, Ashford	1 x 3-bed house	3 bed House	Completed	20-Jan-12
Mardol Road, Ashford	3 x 3-bed houses	3 bed House	Completed	07-Dec-11
Mardol Road, Ashford	1 x 3-bed house	3 bed House	Completed	03-Feb-12

Cheeslands, Biddenden	5 x 2-bed bungalows	2 bed Bungalow	Completed	10-Feb-12
Beaver Lane, Ashford	2 x 2-bed houses	2 bed House	Completed	12-Mar-12
Luckley House, Wye	9 x 1-bed flats	1 bed Flat	Completed	26-Mar-12
Orion Way, Ashford	2 x 4-bed houses	4 bed House	Completed	26-Mar-12
Orion Way, Ashford	7 x 3-bed houses	3 bed House	Completed	26-Mar-12
Birling Road, Ashford	1 x 3-bed house	3 bed House	Completed	27-Sep-13
Christchurch Road, Ashford	8 x 1-bed bedsits (for use as temporary accommodation) – note these properties sit in the General Fund	1 bed Bedsit	Completed	29-Aug-14
Hawthorn, Appledore	4 x 2-bed flats	2 bed Flat	Completed	21-Nov-14
Hawthorn, Appledore	4 x 2-bed bungalows	2 bed Bungalow	Completed	18-Dec-14
Wind Hill, Charing	2 x 2-bed bungalows	2 bed Bungalow	Completed	18-Dec-14
Wind Hill, Charing	1 x 3-bed bungalow	3 bed Bungalow	Completed	18-Dec-14
Manse Field, Brabourne	2 x 3-bed houses	3 bed House	Completed	19-Dec-14
Randolph Gardens, Kennington	8 x 3-bed houses	3 bed House	Completed	19-Dec-14
Riverview, Ashford	3 x 2-bed houses	2 bed House	Completed	19-Dec-14
Riverview, Ashford	1 x 3-bed house	3 bed House	Completed	19-Dec-14
Arcon Road, Ashford	3 x 3-bed houses	3 bed House	Completed	30-Jan-15
Simons Ave, Ashford	3 x 3-bed houses	3 bed House	Completed	30-Jan-15
Cryol Road, Ashford	4 x 3-bed houses	3 bed House	Completed	27-Feb-15
Cryol Road, Ashford	2 x 4-bed houses	4 bed House	Completed	27-Feb-15
Cryol Road, Ashford	1 x 6-bed house	6 bed House	Completed	27-Feb-15
Poppy Fields, Charing	7 x 2-bed houses (shared ownership)	2 bed House	Completed	16-Nov-15

Poppy Fields	1 x 3-bed house (shared ownership)	3 bed House	Completed	16-Nov-15
Poppy Fields	13 x 3-bed	3 bed House	Completed	16-Nov-15
Farrow Court	81 x 1-bed flats (14 for those with learning difficulties)	1 bed Flat	Completed	20-Nov-15
Farrow Court	23 x 2-bed flats	2 bed Flat	Completed	20-Nov-15
Boxley, Ashford	2 x 3-bed houses	3 bed House	Completed	14-Dec-17
Noakes Meadow, Ashford	2 x 2-bed bungalows	2 bed Bungalow	Completed	19-Feb-18
Beecholme Drive, Kennington	2 x 3-bed houses	3 bed House	Completed	20-Mar-18
Priory Way, Tenterden	2 x 3-bed houses	3 bed House	Completed	20-Mar-18
Belmont Place, Ashford	3 x 2-bed flats	2 bed Flat	Completed	28-Mar-18
Jubilee Fields, Wittersham	4 x 3-bed houses (local needs)	3 bed House	Completed	05-Dec-18
Brattle, Woodchurch	4 x 2-bed houses	2 bed House	Completed	13-Dec-18
Calland HRA 15-18	2 x 2-bed houses (local needs)	2 bed House	Completed	19-Dec-18
Calland HRA 15-18	2 x 3-bed houses (local needs)	3 bed House	Completed	19-Dec-18
Danemore, Tenterden	23 x 1-bed flats	1 bed Flat	Completed	15-Feb-19
Danemore, Tenterden	11 x 2-bed flats	1 bed Flat	Completed	15-Feb-19
Chequers Green, Shadoxhurst	2 x 2-bed houses (shared ownership)	2 bed House	Completed	01-Aug-19
Chequers Green, Shadoxhurst	2 x 2-bed houses	2 bed House	Completed	01-Aug-19

1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation;
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (ie tackling prejudice and promoting understanding between people from different groups).

3. These are known as the three aims of the general equality duty.

Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:
- Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership*
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation

*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

Due regard

5. Having 'due regard' is about using good equality information and analysis at the right time as part of decision-making procedures.
6. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:
- removing or minimising disadvantages suffered by people due to their protected characteristics.
 - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
 - encouraging people with certain protected characteristics to participate

in public life or in other activities where it is disproportionately low.

7. How much regard is 'due' will depend on the circumstances. The greater the potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.
8. In terms of timing:
 - Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
 - Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
 - The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.

Case law principles

9. A number of principles have been established by the courts in relation to the equality duty and due regard:
 - Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
 - Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.

- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one so that it needs to be considered not only when a policy, for example, is being developed and agreed but also when it is implemented.
- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

Lead officers:	Mark James and Jo Stocks
Decision maker:	Cabinet
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	To provide an update on the Housing Revenue Account (HRA) Affordable Housing Programme, the HRA Business Plan and the overall delivery plan for affordable housing up to 2023, and to get an endorsement from cabinet members about the overall trajectory and any new sites proposed for development – including maximising grant-funding, receipts from council house sales and HRA resources in order to contribute towards meeting the demand for affordable housing in the borough.
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	10 th October 2018
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<ul style="list-style-type: none"> • Note the progress in delivering the affordable housing programme in the HRA. • Note the Council's detailed plans for future housing delivery, agree the proposed additions to the programme, delegating authority to vary the programme as necessary to maximise use of one-for-one monies for the purchase of street properties subject to resources being available within the HRA Business Plan. • Agree that given the positive impact of street purchases on the overall programme, delegated authority to approve additional buys is sought. • Review and agree the updated HRA Business Plan and financial projections • Agree a higher limit for land and site acquisition to enable the Council to work in partnership with registered providers (RPs) and report acquisitions to the Economic, Regeneration and Investment Board • Note that Overview and Scrutiny (O&S) are required to review the HRA Business Plan financial projections as part of the budget scrutiny process. • Endorse the detailed delivery plan which will sit under the Housing Framework
Information and research: <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	The following policies have identified the need to address housing supply in the Borough. The Housing Strategy Framework Priority 1 - Improve the supply of affordable housing to meet local housing needs in urban and rural, the HRA reform which lead to Cabinet endorsing five key priorities for further spending and allowing for greater freedom, the Corporate Plan, the Kent Forum Housing Strategy (2012-2015) highlighted the need for affordable homes and a choice for residents and the National Housing Strategy which highlights the delivery of new homes under the affordable rent model.
Consultation:	Consultation has taken place with colleagues in Legal Services, Planning and Development, Finance and IT, the

<ul style="list-style-type: none"> • What specific consultation has occurred on this decision? • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? • What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics? 	<p>Housing Development Team, Housing Options and Corporate Property Services.</p> <p>The consultation has been to identify suitable areas to develop out affordable homes and the level of finance (inclusive of grant and capital contributions) required to achieve the programme.</p> <p>Further consultation will be carried out with ward members and the communities in which any new affordable homes are proposed to be taken forward before any proposed scheme is submitted to the planning department.</p>
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Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Protected characteristic	Relevance to Decision High/Medium/Low/None	Impact of Decision Positive (Major/Minor) Negative (Major/Minor) Neutral
<u>AGE</u> Elderly	High	Positive (major)
Middle age	High	Positive (major)
Young adult	High	Positive (major)
Children	High	Positive (major)
<u>DISABILITY</u> Physical	High	Positive (major)
Mental	High	Positive (major)
Sensory	None	Neutral
<u>GENDER RE-ASSIGNMENT</u>	None	Neutral
<u>MARRIAGE/CIVIL PARTNERSHIP</u>	None	Neutral
<u>PREGNANCY/MATERNITY</u>	None	Neutral
<u>RACE</u>	None	Neutral

<u>RELIGION OR BELIEF</u>	None	Neutral
<u>SEX</u> Men	None	Neutral
Women	None	Neutral
<u>SEXUAL ORIENTATION</u>	None	Neutral

<p>Mitigating negative impact: Where any negative impact has been identified, outline the measures taken to mitigate against it.</p>	There is nothing to mitigate
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<p>Is the decision relevant to the aims of the equality duty? Guidance on the aims can be found in the EHRC's Essential Guide, alongside fuller PSED Technical Guidance.</p>	
Aim	Yes / No / N/A
1) Eliminate discrimination, harassment and victimisation	N/A
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	Yes
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	N/A

<p>Conclusion:</p> <ul style="list-style-type: none"> Consider how due regard has been had to the equality duty, from start to finish. There should be no unlawful discrimination arising from the decision (see guidance above). Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any 	<p>Due regard has been considered throughout this proposal to each protected group.</p> <p>No unlawful discrimination has arisen from the decision.</p> <p>The effect on the community will be positive due to the aims of the programme delivery. No adjustments required.</p>
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<p>residual impacts are justified.</p> <ul style="list-style-type: none">• How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported?	<p>The programme will be monitored by a Housing Project group with regular updates to our Portfolio Holder and Cabinet.</p>
<p>EIA completion date:</p>	<p>3rd September 2019</p>

Building on solid foundations: delivering affordable homes in Ashford – our delivery plan for 2019-2023



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Executive Summary

This Plan sets out the context for taking an overhead view of the work we are doing to build, enable and purchase affordable homes in the Ashford borough. It sets out the reasons for doing so now, in the context of an ever-growing need and the removal of the Housing Revenue Account (HRA) debt cap by government. Our aspirations are clearly stated and we detail how we will maximise affordable housing delivery with the resources we have at our disposal.

The spotlight is now firmly shining on local authorities and the expectation is that they will deliver affordable housing in greater volumes than previously.

Wider considerations, both within our influence and beyond our control, including the market conditions in which this plan has been produced, are evaluated in this document, as are the risks that must be identified and mitigated to increase delivery.

The affordability question

Although it is a term used routinely, we need to consider what the word affordable, in terms of affordable housing, actually means. Affordable housing can be accommodation that is either rented or part-owned by its occupier.

National Planning Policy Framework (NPPF) guidance suggests affordable rent is set at up to 80% of market rent. This is the definition we will use when we say affordable housing in this document. Social rent is approximately 60% of market rent. Market rent can vary depending on geographical area in the same way as house prices do in the open market.

There are views that affordable rent should be income-based, allowing it to be linked genuinely to affordability – something considered later in this document.

Affordable home ownership refers to various housing products including shared ownership, which is a part-rent, part-buy scheme. This offers entry onto the property ladder at a lower initial outlay with opportunities to own further shares in the property at a later date (known as 'staircasing'). There are other products that fall within the sphere of low cost home ownership which are included in the NPPF and can be utilised under the terms of our Local Plan.

Where this document sits

The overarching housing statement, published in 2018, took a new approach to setting out the council's strategic goals for housing. Providing an overview of how quality housing delivery, with a mix of tenures, is needed to help achieve corporate priorities, the statement highlighted the key issues, challenges and potential opportunities that it saw on the horizon up to 2023.

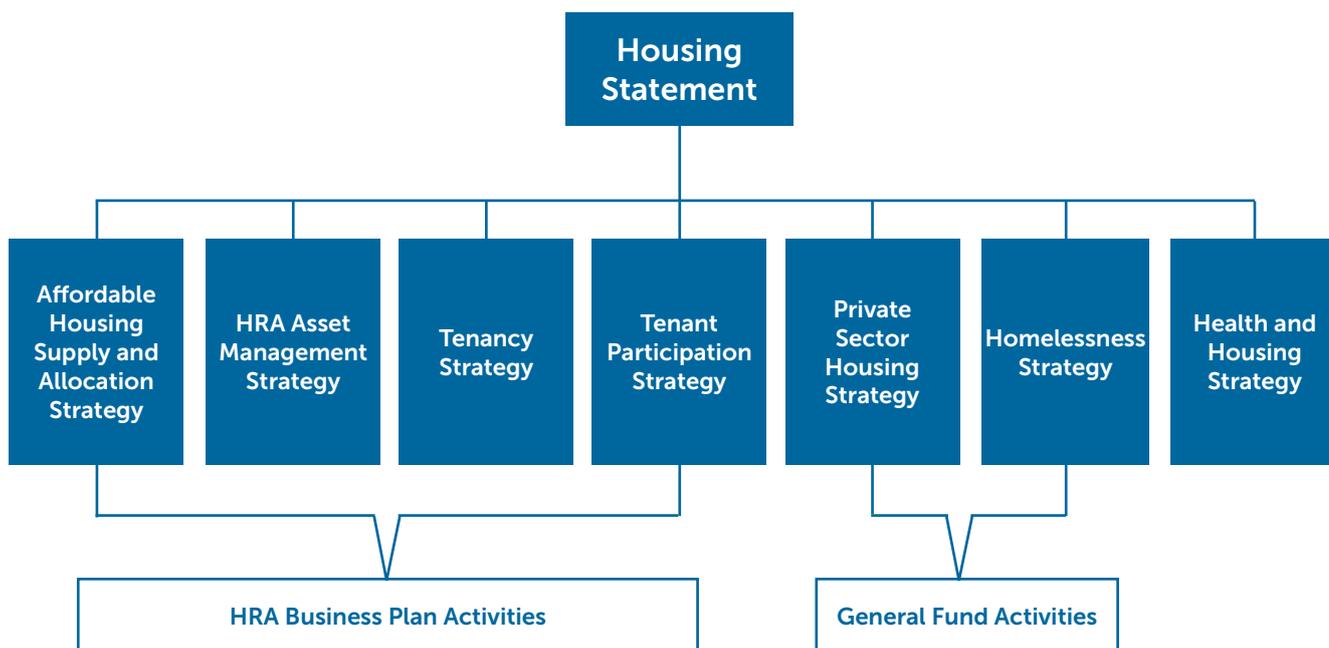
This document therefore sits under that and alongside other strategic housing documents – essential in taking a holistic approach to delivering the right homes in the right places at the right time. This document aligns itself to the overall framework by having bold but deliverable plans and is very much outcome-driven. Taking such a stance will stimulate more involvement from all stakeholders with an interest or influence in the sphere of housing and housing delivery.

Of course, housing is the most dynamic of sectors. Political views, economic conditions, social trends, technological advances, legislative changes and growing environmental awareness have dictated this and will continue to do so. These have influenced the delivery of new homes, how we manage our existing homes and assist

people, in need of support, who are living in both the social and private housing sectors.

We will work smarter and continue to be innovative and bold in our approach, seeking out new ways of working to remain efficient and effective in service delivery.

Figure 1 shows the individual delivery plans that feed into the overall statement/framework.



Comments from the portfolio holder for housing

The right time

The opportunities are ours to be taken. We will build the right homes in the right places and deliver truly innovative projects in truly innovative ways. We now have the financial power to do so following the removal of the HRA debt cap. We must now assess our internal processes to ensure these are agile enough to adapt to the opportunities that have been presented to us.



We will make our housing delivery programme sustainable and long-term, creating balanced communities (rather than delivering 'council estates') to echo the aspirations of the 2018 Social Housing Green Paper. The metrics by which we will judge our success are also outlined in this document, which extend to social and reputational outcomes, rather than just the bottom line numbers. We have to, and will, deliver.

Our goal:

"We want to lead the way in Kent by building, enabling, buying new and buying back 500 affordable homes by 2023 through innovation and professional partnerships."

Political	Economic	Social
<ul style="list-style-type: none"> • New political ideas and influences potentially brought by new administration and portfolio holder at a local level and new Prime Minister and government nationally • Achieving buy-in from ward councillors to development • Parish councils • New targets and challenges set by nationally or locally elected representatives – such as that for carbon neutrality • Brexit outcome unclear • The re-think in the Social Housing Green Paper (issued in August 2018) • Homes England's shift towards social rent delivery • Neighbourhood Plans • Objectors to social housing 	<ul style="list-style-type: none"> • Potential downturn if market reacts badly to Brexit deal/no deal? • The growth of Ashford • Inward investment in the borough by business • The market – what does affordability mean? 80% of market rent or affordability based on income levels? • The reliance on small and medium-sized businesses (SMEs) to deliver housing • The roll-out of Universal Credit and potential arrears • The level at which local housing allowance is set • The 1% rent reduction, which ends on 31-03-20 • Grant funding levels from Homes England • Right to Buy receipts – known as 1-4-1 monies • Land and acquisition costs 	<ul style="list-style-type: none"> • Population growth • Older population requiring different homes for different needs • Flatted development in town centre – simply a base for commuters? • Addressing the needs of the existing population • Local needs – growth in wanting to provide homes for people with local connection versus lack of available exception sites • The differences between rural and urban areas must be taken into account • Lack of move on accommodation for people in temporary accommodation
Technological	Legal	Environmental
<ul style="list-style-type: none"> • Smart homes • Quality of new-builds and existing stock • Employing modern methods of construction (MMC) to speed up construction on certain sites with adequate access • Building Information Modelling (BIM) when designing new homes • Sustainability • Developing generic 1, 2, 3 and 4-bed affordable homes to 'place' on sites dependent on size 	<ul style="list-style-type: none"> • Local Plan adopted February 2019, affordability requirements and section 106 delivery • Affordable Housing Supplementary Planning Document (SPD) in draft • Neighbourhood Plans • Procurement when trying to work in partnership with other housing providers • Land acquisition • Possible ban on using bed and breakfast (B&B) accommodation for homeless applicants 	<ul style="list-style-type: none"> • Carbon neutrality by 2030 (80% by 2025) • Skills gap in the construction industry and capacity issues • Adapting to considerable environmental change – flooding, hot homes • Finding alternative heating sources • Sustainability – tackling climate change through building design and active travel links • Remediation of contaminated sites

Table 1. PESTLE analysis for developing and enabling homes in the Ashford borough (compiled in June 2019)

Micro environmental factors are related to the stakeholders in the environment in which an organisation operates. Consumers and interested organisations may have an interest in what the council is delivering, or they may have an interest. They may of course have neither or both. In the matrix below we map out the micro environment of Ashford Borough Council when delivering affordable housing.

Key:

High power – High interest: These stakeholders are your key players who you should actively engage with. They have the power to change your strategy

High power – Low interest: These stakeholders have the capacity to become key players and should be kept satisfied

High interest – Low power: These stakeholders have little power to exert on your project but must be fully communicated with and kept informed about your projects

Low interest – Low power: These stakeholders are unlikely to be interested in your project and would not have the influence to change your work in any case

Power and influence (over our work and projects)

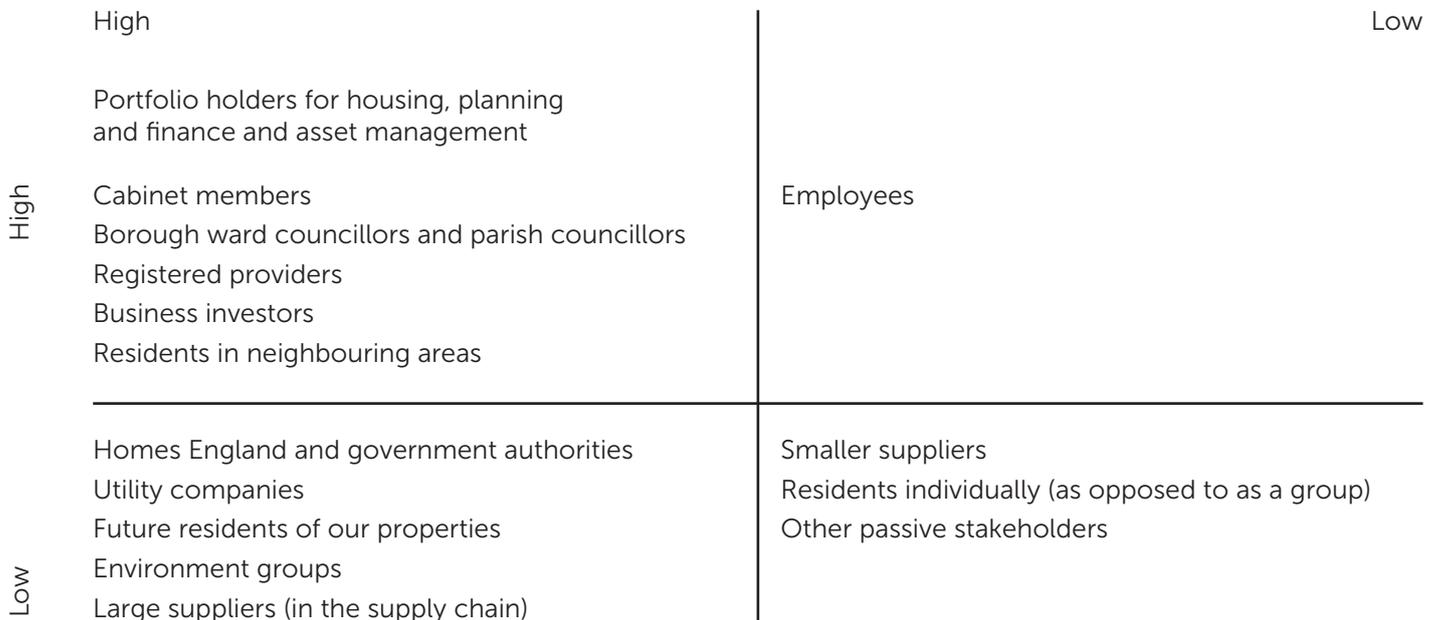


Figure 2. Stakeholder mapping for developing and enabling homes in the Ashford borough

Chapter 2. Context: the challenges

We have delivered 311 homes since 2011 but the following tables in this chapter detail how demand far exceeds supply and in reality we are not delivering enough. It must be said we are not alone in this.

Our Local Plan to 2030

Our Local Plan will not deliver sufficient numbers of affordable housing on its own.

The council's 2014 Strategic Housing Market Assessment (SHMA) states that a total of 14,934 dwellings are needed between 2011-2030 to cater for the 2014 subnational population projections, and that around 45-50% of these homes should

be affordable housing. However, to fully meet those requirements through site allocations would necessitate an increase in the housing target of over 6,000 dwellings. This is not realistic or deliverable.

Policy HOU1 of the Local Plan outlines the requirements for affordable housing across the borough (see the Table 2 below) but while different levels have been determined for different areas to ensure development is viable, the minimum amounts identified are not significant enough on their own to have a positive impact on the number of people on our housing waiting list.

Area	Affordable/social rented requirements (% of total dwellings)	Affordable home ownership products (% of total dwellings)	Total affordable housing requirements (% of total dwellings)
Ashford Town	0%	20% (including a minimum of 10% shared ownership)	20% (nb no requirement within flatted development)
Ashford hinterlands	10%	20% (including a minimum of 10% shared ownership)	30%
Rest of borough (rural)	10%	30% (including a minimum of 20% shared ownership)	40%

Figure 2. Stakeholder mapping for developing and enabling homes in the Ashford borough

Therefore, a scheme of 100 units in a rural area would deliver 40 affordable homes but only 10 of them would be for affordable rent. The other 30 units, while delivering affordable home ownership, would not help the number of people on our waiting list, who are on there because they cannot afford to purchase a home under any method.

And in the town centre, flatted development delivers no affordable housing at all and only 20% of houses in this area would be available for affordable home ownership.

Therefore, the delivery of affordable housing through s106 agreements can only be part of the solution. Greater flexibility must be adopted when setting out the terms of the agreements.

Plan action: Housing will speak with planning services, legal services and the RPs who work with us in the borough to ensure the maximum number of homes are delivered and that flexibility, wherever possible, is built in to agreements to deliver greater numbers. Creativity will be key and the council will have to intervene if necessary to acquire units that come forward in too small a number to be palatable to RPs in this or future climates. This is not something the council can do alone and therefore it will be seeking a greater buy-in on innovative projects corporately and from partner organisations.

Ashford is the largest borough in the county – at 224.5 square miles it is one third of the size of Greater London. It is also by far the most rural borough in the county. Therefore, the council’s housing service must work hard with parish councils and organisations such as Action for Communities in Rural Kent to ensure that we are sensitive to:

- Housing need (where people may wish to stay in the communities they grew up in, or downsize to smaller homes so they can stay where their support networks are)
- The requirements of the Local Plan, which places a greater emphasis on rural areas having more affordable housing
- The debate that exists in those communities about development
- Local housing needs surveys when exception sites come forward

Further discussion

Affordability is a problem. Is 80% of market rent actually a genuinely affordable rent level? As a guide, weekly workplace earnings in Ashford (averaging at £543 for both male and female workers) are lower than the south east average (£589) and lower than the Great Britain average (£570) [Strategic Commissioning – Analytics, Kent County Council].

Additionally, to give more context to the difficulties in accessing housing on mid-to-low incomes in our borough, the average house values in Ashford for the last 12 months are: Detached, £503,029; Semi-detached, £288,759; Terraced, £240,910; Flats, £162,966 [Zoopla].

Average private rents for Ashford are: 1-bed, £650 per calendar month (pcm); 2-bed, £785 pcm; 3-bed, £1,036 pcm; 4-bed, £1,469 pcm; 5-bed, £1,499 [Home.co.uk].

Clearly, we need to deliver the right types of homes in the right places.

In order to do so, we need to acquire land, as we have delivered, or are delivering, affordable homes on all of the viable land already in our ownership. As a guide, land costs in Ashford are £2.6m per hectare [Strategic Commissioning – Analytics, Kent County Council]. This is the fourth cheapest in Kent. Suggestions for how we look at the acquisition of land more strategically as an authority are addressed later.

Plan action: Having identified and utilised all of its own available land for housing building since 2011, the council will now acquire land in the HRA to deliver future schemes using its delegated authority from Cabinet in December 2018.

By 2023, it is expected that 23% of Ashford residents will be aged 65 or over. This necessitates that we prepare for the needs of that ageing population by ensuring they are in the right sized homes for their needs.

Plan action: Housing will liaise with Kent County Council (KCC) to routinely assess and understand the context in which it is delivering housing for older people, given the number of extra care units KCC has indicated are required within the Ashford borough (428 by 2031) – there are currently 179 units of extra care in the borough with a further 70 with planning permission (on the Chilmington site).

The Social Housing Green Paper issued by government in August 2018 sets out an ambition to remove the stigma of social housing. While older persons' housing is seen by some stakeholders as the more palatable end of affordable housing, we must work hard through area management and initiatives to ensure this perception does not prevent us from delivering the right types of homes in the right places.

"We need to deliver the right types of homes in the right places."

Additionally, the green paper sets out an aspiration to tackle the stigma associated with living in social housing and, moreover, to positively celebrate thriving communities where people with differing backgrounds co-exist happily.

No longer will it be acceptable for a tenant to feel less of a person than someone who has bought their house. These inequalities will be broken down by the new approach and ensure that social housing tenants feel as much at home in their community as owner-occupiers. They will live rather than exist in a community.

The design and quality of homes is central to this, with homes being 'tenure blind' – i.e. not singled out through their look or placement in any community. Engagement, particularly led by landlords, to create strong neighbourhoods and quality place-making must be actively encouraged and applauded.

Therefore, engagement with residents across our own council housing stock is vital in this endeavour. Tenant workshops have already been held and a new tenant engagement strategy is one of the building blocks. A residents' Facebook page is now up and running, designed to give a stronger voice to our residents and to draw out their often inspiring stories and achievements.

Plan action: The council will make the best use of the homes in its ownership. It will encourage 'rightsizing' to create movement in its stock and not just rely on building, enabling or buy backs. Incentivising and encouraging people to live in homes appropriate to their needs frees up often much-needed family accommodation for other people on the waiting list.

Plan action: In tandem with the above aim, the council will 'rebrand' older persons' services as 'independent living' accommodation, to remove the assumed connotation that the term 'sheltered housing' conjures. It will remodel its existing sheltered schemes but also provide new independent living schemes that do not have wardens but are designed to a similarly high specification, and into which care can be bought by tenants, if needed, later on.

Plan action: The council will address its existing housing stock – linking with the forthcoming HRA Asset Management Strategy – and will think 'beyond new build' to maintain it so that the homes and play areas it owns so that they do not look tired, thus singling them out as 'council housing' and contributing towards the stigma apportioned to tenants – something tenant engagement work will help mitigate. This is critical and was highlighted in the Social Housing Green Paper.

Not delivering affordable homes carries several risks – financial, social and reputational.

- The financial and social impacts of living in unsuitable housing include the costs of being in temporary accommodation and forcing people to live without certainty – we are redressing this in part through our 'street purchases' which make use of the 1-4-1 monies received through right-to-buy sales
- Reputationally, with the spotlight on local government to deliver, following the removal of the HRA debt cap, non-delivery will not be tolerated under such an intense spotlight

Plan action: The council will search for every possible solution to deliver affordable housing, to ensure it plays its part in tackling the national housing crisis, to create balanced communities because there is a compelling argument to do so.

The housing waiting list

To provide some context and an evidence base for this plan, it is necessary to interrogate the housing waiting list. This is a list of applicants who are assessed in terms of their circumstances, priority need and the length of time that they have been waiting. Those without a local connection to Ashford or who already have adequate accommodation will be deemed ineligible for registration.

The following data was harvested on 10th June 2019. This is a typical set of figures based on the last three financial years and provides a solid set of data from which to work in this document.

Registered applicants

In the following table, applicants in Band A have the highest priority need for housing and applicants in Band E the least

Band	Number of applicants currently on the register
A	104
B	135
C	980
D	50
E	10
Total	1,279

Table 3. Registered 'live' applicants, by banding

Bedroom need

Of the 1,279 applicants on the list the following need is identified:

No. of bedrooms	No. of people and notes
1-bed	604 applicants (of whom 280 are aged over 50)
2-bed	356 (of whom 53 are aged over 50)
3-bed	231
4-bed	78
5 and 6-bed	10

Table 4. Bedrooms needed by applicants on our waiting list

Family makeup

The following table lists the make-up of the households on our waiting list.

Household make-up	Number of such households
Single applicant	491
Non-co-habiting couple	7
Couple	118
Family with 1 child	260
Family with 2 children	172
Family with 3 children	136
Family with 4 children	31
Family with 5 children	64

Table 5. Make-up of households on our waiting list

There are 77 applicants registered as under-occupying, who are living in social housing within the borough – the majority of whom are aged over 50. Due to recent policy changes, all applicants registered as under-occupying are given a higher priority and are placed in Band B of our housing register. Each will receive £1,000 if they give up their home and right-size as part of our assisted move process.

Average waiting times for affordable housing in 2018-19

The average wait for a household in Band C is listed in the table below. Table 3 above illustrates how most people on our waiting list are in Band C. It is worth clarifying that Band C comprises the following examples:

- Homeless applicants to whom we have accepted a duty
- Families sharing basic facilities such as a kitchen or bathroom in the accommodation they are currently living in
- Families lacking one bedroom and so have minor overcrowding
- People living in a private sector property with a minor hazard or a heating or utility issue

Property	Average wait
1-bed	3 years
2-bed	4 years
3-bed	4 years – potentially we would not be able to assist for some time
4+bed	Wait unknown, potentially we would not be able to assist for some time

Table 6. Average wait times for applicants in Band C on our waiting list

Type / Size	No of 'lets' to Band C in 2018-19	Shortest wait	Longest wait	Average wait
Sheltered accommodation	34	18 days	4 years	13 months
Studio general needs	0			
1-bed general needs	71	5 days	8 years	23 months
2-bed flat or maisonette	56	3 months	11 years	22 months
2-bed house	35	11 weeks	9 years	26 months
3-bed flat or maisonette	3	10 months	28 months	16 months
3-bed house	26	12 weeks	5 years	30 months
4-bed	0			
5-bed	0			

Table 7. Wait times per property type

There were 447 properties, including properties owned and managed by RPs, let between 1st April 2018 and 31st March 2019.

The discrepancies in Table 7, notably in the gap between the shortest (days) and longest (years) wait for types of home, could range from one applicant being prioritised as homeless and being housed quickly, to another applicant not actively bidding or being particular about the area in which they will consider an offered property. During this time they not be bidding for homes or may refuse accommodation offered as it does not fall within an area of their preference.

Chapter 3. Corporate thinking: delivering healthy homes

Having a home is the foundation of health and wellbeing. Homes have always held the key to our wellbeing – they are a haven, a sanctuary, around which our quality of life is fundamentally built.

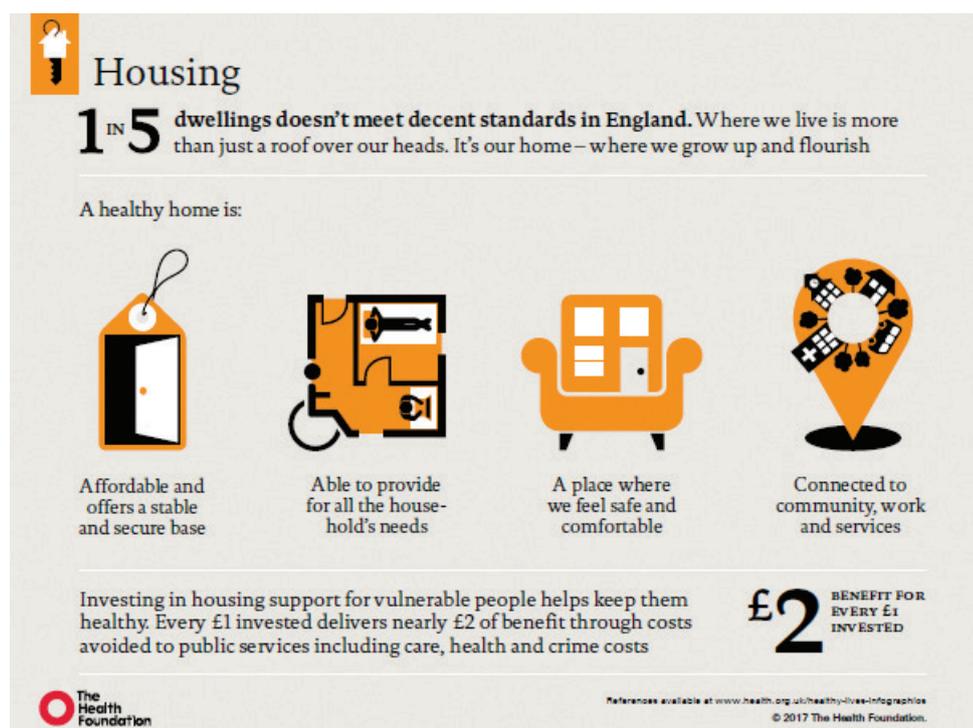


Figure 3. The worth of housing

But now, society has presented us with a range of complex needs that mean that it is no longer the role of local authorities to just provide shelter but to also consider how independent living can be supported, how the needs of an ageing population are addressed, and particularly those with other sensitive needs. All this, at the same time as creating cohesive communities too.

Decent affordable housing is at the core of it all, providing the right type of homes in the right places and reducing stigma, as the Social Housing Green Paper states.

Plan action: The council will tether its approach for delivering affordable housing to themes identified in its emerging Corporate Plan, ensuring there are links to aims around development and regeneration, or quality place-making.

Delivery should go hand in hand with everything else we are doing as an authority. The delivery of affordable housing must not be seen in isolation.

"Delivering affordable housing is just the start of the process. It is about encouraging social mobility and getting people to engage with the environment around them."

The most basic example of this is the link between place-making and homelessness. By helping homeless people off the street you are providing them with shelter and the opportunity to rebuild their lives. In turn this contributes to having a nicer town centre environment. It is paramount that the council invests in one to achieve the other with departments working together.

Indeed, we are aiming to deliver more solutions similar to our short-stay accommodation facility at Christchurch House (renovated from a former empty commercial building) given the impact of homelessness and not being able to move people on.

Plan action: The council will ensure such facilities are acquired and renovated within the service and then handed over to the housing options team.

We are as a result identifying sites that if built could help to ease the corporate financial pressures in the council's General Fund, showing the links this plan has to wider organisational goals. However, delivering more social housing to act as move-on accommodation will mean we do not need to deliver as many Christchurch House-type properties – meaning a more sustainable solution for all.

2.4% of residents in Ashford are unemployed, equivalent to the countywide average. Therefore, we need to provide residents with good homes, the foundation to a stable life with better outcomes. [Strategic Commissioning – Analytics, Kent County Council]

Delivering affordable housing is just the start of the process. It is about encouraging social mobility and getting people to engage with the environment around them. The council is building that for Ashford, with learning opportunities (Ashford College), job opportunities (Commercial Quarter), leisure (Elwick Place) and lifestyle opportunities. Continued economic growth, offering opportunities for local people, is a key principle of how the council goes about its business.

Another corporate 'Big 8' project is Chilmington Green – a new community of up to 5,750 quality homes, with a district centre and community infrastructure. This will create over 1,000 jobs and be delivered over the next 20 years, coming forward in four main phases with several hundred homes delivered per year.

From its inception, the ambition has been to create a place of special character with a strong community feel – a place where families and people of all ages and backgrounds will want to live, enjoy and call home. Affordable housing forms almost a third of the overall development and so working with developers, registered providers of social housing and the community will be essential in the delivery of both a major project for the council and the lifestyle choice of those who seek to further their lives there.



Over £500m of investment is taking place in Ashford town centre alone

Health and housing

The health and housing agendas are now intrinsically linked and with an ageing population, it is also about providing 'care ready' homes equipped to be future-proofed. Such an approach will help maintain an individual's independence and possibly give them a healthier life, with longer life expectancy.

Indeed, between 1998 and 2008, the number of people in our borough aged over 75 grew by 20%, significantly higher than across the South East (11.8%). Kent Housing Group recognises this agenda and is employing a Project Officer to specifically work with county and district councils on Health and Social Care delivery.



We are already delivering homes that cater for the needs of an ageing population, such as our multi-award-winning, fully dementia-friendly independent living scheme at Farrow Court

It is also about building de-institutionalised accommodation that encourages rather than discourages people to move from family-sized homes where their memories may be, to accommodation more suited to their immediate needs. This is important and even though most older people do not see themselves as old, and want to be at the heart of their communities rather than live behind a security gate, we must listen and act, building accommodation that reflects these views and wider social trends. This will be in the best interests of making our properties more resilient.

Plan action: The council will build high quality homes. Mindful of conversations about fuel poverty and sustainability of physical resources, it will create environmental and sustainable homes, which will deliver better, more energy efficient homes in the round and align with the current government’s policy emphasis on the UK reaching net zero carbon emissions by 2050.



We are already building green innovations into our affordable housing provision with living roofs, such as the one pictured here at Danemore in Tenterden

We need to lead by example, potentially going beyond the minimum building regulations requirements and taking the lead in delivering homes with carbon reducing measures.

It is also about working in partnership across the county to look at the way in which health and social care are being delivered, working with public health and NHS colleagues (such as has been done with Homebridge at Farrow Court) to consider all health priorities and inequalities to ensure that our homes are fit for purpose.

This plan 'Building on solid foundations: delivering affordable homes in Ashford' puts affordable housing to the fore with the council providing responsible leadership and encouraging RPs and communities to take the lead where appropriate.

"42% of residents believe that more affordable homes are needed and 53% of residents say that affordable homes contribute positively to a sense of place"

The 2018 residents' survey revealed that 42% of residents believe that more affordable homes are needed. Furthermore, 53% of residents say that affordable homes contribute positively to a sense of place. This provides a mandate for us to deliver in our communities.

With Homes England placing a strong emphasis on homes being provided at social rent levels, we need to look at delivering truly 'affordable' rents. Council homes are obviously part of the solution. Ashford is currently ninth in Kent in terms of weekly resident earnings so looking at social rents is critical.

Chapter 4. Aims and ambitions

This delivery plan for affordable housing aims to align itself to the council's Corporate Plan.

In December 2018, the housing service took its annual update paper to Cabinet members. This contained a list of sites – the vast majority of which were in the council's ownership – that had been initially vetted by planning and were included in the council's debt cap uplift bid to the Ministry of Housing Communities and Local Government in September 2018. The council sought to deliver 334 homes across 25 sites raising its debt cap by £61m. However, soon after establishing the appetite for local authorities to build social housing again, central government removed the debt cap altogether.

This has given us time to pause and reflect, to ensure that we set out a sustainable programme for delivery, while concurrently working on this strategy for delivery over the longer term, establishing a pipeline so there are no longer peaks and troughs in our numbers.

Initially, we will deliver the homes set out in Appendix 1 to this delivery plan. However, once we have delivered those sites we would like to deliver 'more, faster, better' – the current housing minister's mantra. Below we set out how we intend to achieve the ambition clearly set out in our mission statement.

Plan action: Housing will consider the following aspects (outlined in Table 9) when looking at delivering and enabling new build homes.

Considerations for future new-build

Enabling through s106 agreements	We will maintain and evolve our quarterly development forums, working closely with RPs to ensure that all provision brought forward through s106 agreements is taken up. We will ensure they think of Ashford first when looking to invest in housing. Furthermore, we will ensure where M4(3) homes are required – either under policy HOU14 of our Local Plan or negotiation – we work with the developer, architect, Occupational Therapist and RP to see these delivered. Where RPs do not take on s106 homes, should the numbers not be palatable to them, we will intervene to acquire them, if the price is right.
Enabling beyond s106 agreements	We have identified that the Local Plan is not delivering sufficient numbers of affordable rent homes to meet demand. Therefore, we will work with the RPs working with us in our borough to join forces with them and deliver work through proactive partnerships. This will see us set up a Housing Delivery Framework to enable us and our partners to deliver projects that alone would be too expensive for our resources, but which together can be achieved. Such Joint Ventures (JVs) are truly innovative. We will, if it is appropriate to do so, also consider setting up a Special Purpose Vehicle and enabling through community-led housing.
Legal considerations	In addition to setting up a delivery framework we will seek to grow our construction framework to ensure there is wider choice and capacity for us when tendering for contracts for our affordable homes build programme projects – with a range of SME contractors to support the local economy and MMC contractors to accelerate delivery on the council's own-led projects. We will consider procurement on the use of institutional investment to unlock sites.

Designated Protection Areas (DPAs)

"The whole borough apart from the urban areas of Ashford, Tenterden and Wye is designated as a Designated Protected Area.

Here, it is possible to use a section 106 deed to control staircasing on shared ownership homes to prevent their loss to the local community in future years were they to be subsequently bought outright by the tenant and then sold on the open market.

This is achieved through use of a planning obligation to restrict any ability to staircase a shared ownership lease beyond 80% of the equity value of a dwelling in a designated protected area.

In the absence of a planning obligation restriction, a registered provider delivering shared ownership housing with grant monies would simply need to comply with any conditions imposed by Homes England regarding the delivery of affordable housing in a designated protected area. In the absence of a waiver from Homes England (in consultation with the Head of Housing), an RP in that situation would be obliged to dispose of its shared ownership units either subject to a cap on stair-casing at 80% of the equity value or with no cap but an obligation to buy back in the event its tenant acquired 100% equity value in a unit.

There are no controls in place in the event that the shared ownership housing is delivered grant free.

The Head of Housing's proposed policy position in a designated protected area is to mirror the position outside of a designated protected area and allow unrestricted staircasing to one hundred percent (100%) equity value of a dwelling, save for affordable housing proposals in a rural exception site (coming forward under HOU2 of the Ashford Local Plan to 2030. On a rural exception site, restrictions would be imposed by planning obligation to control staircasing as follows:

Grant Funded

- a cap on staircasing at eighty percent (80%) of equity value; or
- an unrestricted right to staircase to one hundred percent (100%) of equity value preconditioned on an obligation on the RP to buy back the unit in the event that a tenant acquires 100% equity value in that unit; or
- an unrestricted right to staircase to one hundred percent (100%) of equity value preconditioned on an obligation on the RP to obtain a waiver of grant condition from Homes England (in consultation with the Head of Housing and the Head of Development Management and Strategic Sites)

NON-grant funded

- a cap on staircasing at eighty percent (80%) of equity value; or
- an unrestricted right to staircase to one hundred percent (100%) of equity value preconditioned on an obligation on the RP to buy back the unit in the event that a tenant acquires 100% equity value in that unit; or
- an unrestricted right to staircase to one hundred percent (100%) of equity value preconditioned on an obligation on the RP to obtain the written approval of the Head of Housing and the Head of Development Management and Strategic Sites

Currently, many rural villages are seeing development of local plan allocated sites and other sites granted by the council or on appeal, which collectively are providing a significant number of shared ownership units in rural areas. Officers understand from their RP partners that this provision is meeting most identified local need in these local areas and is also providing housing for those who would not meet local criteria. There is currently therefore no clear need to preserve local housing stock for local housing people in rural areas, especially as there is a significant pipeline of further developments which will come forward in villages under the new local plan.

Therefore, it is envisaged that the Head of Housing will approve an unrestricted right to staircase to one hundred percent equity value other than in a rural exception site development or where specific local circumstances need to be managed. An Unrestricted staircasing ability supports and encourages the use of shared ownership housing as a route into home ownership and manages RP's concerns regarding mortgage-ability of units if unrestricted staircasing is impeded.

The nominations agreement arrangements with local RPs will continue to ensure that these homes be prioritised for purchase by local residents".

Embracing innovation	We will deliver energy efficient homes and use modern methods of construction on sites of the right topography that provide relevant access – including for temporary accommodation to assist with homelessness provision. We will also investigate setting up an Ashford Living Rent to tackle genuine affordability issues within the borough
Allocation	We will look at building some homes specifically for pre-allocation, to assist households on our waiting list – such as has been done already at Noakes Meadow in South Ashford. Also, we will work with RPs, developers and architects to enable us to pre-allocate homes coming forward through s106 sites. Our flexibility must be what makes us different
Mitigating risk	We will work harder to establish a robust risk assessment process for site acquisition and utilise existing processes, which can be refined, to monitor progress through acquisition and build
Town centre	We will support the wider corporate goal of achieving a vibrant town centre – being mindful of permitted development rights (save the area in the commercial quarter, which is exempt from the initiative introduced by government in 2013)
Beyond the boundary	While focusing on our own borough, if s106 sites have stalled in neighbouring boroughs we will consider acquiring the homes, managing them ourselves and entering into a lettings agreement with the other authority
Stakeholders	<p>We will work in partnership with local people and communities to support the delivery of affordable housing in the following ways:</p> <ul style="list-style-type: none"> • Dovetailing with Kent County Council to ensure that we are not over or under providing care-ready accommodation when anticipating the needs of the borough’s ageing population • Continuing our on-street purchase programme to deliver homes that we can adapt for people with specific, more complex needs, or that boost our stock more quickly than building would • Working with parish councils to achieve their buy-in and understanding of homes being delivered in their communities through s106 or our own affordable homes build programme – mindful of the differences between rural and urban areas • Attending Kent Developer Group meetings to nurture relationships to make developers aware of Ashford’s desire to deliver affordable homes • Supporting any groups interested in providing community led housing, where it is endorsed in the communities in which they seek to deliver • Fostering relationships with local landowners to make them aware of our seriousness in acquiring sites suitable for delivering schemes • Communicating and consulting with residents and tenants to inform them of the need for affordable housing in their locality and what our plans are • Internally we will continue to hold our housing project group meetings to ensure that the planned maintenance, repairs, project delivery, legal and development teams are all aware of the latest progress on projects and have had input onto design and other related decisions
Beyond new build	We will refurbish and bring back to life our existing housing stock. Failing to do so can contribute to an area’s failing reputation and invoke negative perceptions of affordable housing and lead to a lack of civic pride. It is therefore paramount that we keep our stock smart and improve everyone’s quality of life

Table 9. Considerations when delivering new affordable housing

Measurement and metrics

Metrics are the building blocks for assessing the success of plans, projects and strategies. They also help to look past the bare numbers and understand the real challenges facing a particular sector. The following metrics are suggested to evaluate the success of this plan against previous performance and our ambition to deliver on the mission statement through the mechanisms listed above.

Outputs	Initial outcomes	Ultimate outcomes
Number of homes constructed by the council Number of homes delivered by RPs / enabled by the council Number of on-street purchases made using available right-to-buy funds Number of homes in our pipeline for delivery (including temporary accommodation for homelessness) Value of grant secured from Homes England Number of RPs / contractors on our meaningful JV / construction frameworks Number of RP site meetings council actively attending Number of community consultation events held Number of parishes actively engaged in s106 sites with RPs serving the borough Number of refurbishment programmes undertaken to exterior of existing stock	Housing affordability increasing through delivering homes by maximising grant opportunity, reflecting the aims and ambitions of Homes England Housing quality increasing Speed of delivery increasing through attendance of development team at RP site meetings with developers, offering access to relevant services in the council 1-4-1 monies carefully monitored and spent within appropriate timescales Reduction in spend on bed-and-breakfast and other nightly paid for accommodation for those applicants to whom we accept a homeless duty – increased site identification to ease corporate pressures	Sustainable and constant supply of housing delivery achieved A sound and viable Business Plan with projects providing funds to continue the development programme and fund any future liabilities Increased grant received as a result of steady pipeline Civic pride increases and quality places are created Percentage reduction in number of households on the council's waiting list Greater flexibility on affordable provision in and outside of s106 agreements ensuring good mix of tenures and the right homes in the right places Reputational success for the council, being seen as a sector leader by key influencers RPs think of investing in Ashford first when looking to grow their portfolios We are tackling real need – everything we are building or seeking delivery of through s106 is evidence led Contributing to making the Ashford borough economically viable by adequately housing local people

Table 10. Measuring the success of delivering affordable homes in the Ashford borough

In order to get to this point, measurement must be an ongoing process to ensure that the service is on course to deliver its key attainment targets. These will be assessed both monthly and quarterly through a range of strategic, and key, performance indicators (SPIs and KPIs). These will seek to measure:

- KPI: The number of homes delivered by Ashford Borough Council in total (quarterly)
- KPI: The number of homes delivered by RPs working with us in the borough (quarterly)
- KPI: The number of street purchase properties acquired by the council (quarterly)
- SPI: The number of construction starts on site across the borough – both council and RPs (monthly)
- SPI: The number of pipeline sites identified by the council for its own delivery programme (monthly)
- SPI: The number of successful grant applications applied for and the value of these (quarterly)
- SPI: The amount of grant funding secured (quarterly)
- SPI: Number of new independent living properties delivered by RPs (quarterly)
- SPI: Number of new build social rent properties delivered by the council (quarterly)
- SPI: The value of 1-4-1 monies needing to be allocated, and by when (monthly)
- SPI: The number of 'complex cases' in the midst of resolution (quarterly)
- SPI: The number of households in council stock who have downsized to take new council or RP properties (quarterly)
- SPI: The number of registered providers engaged on site in delivery (quarterly)

Other KPIs and SPIs exist for tenancy management and lettings.

Chapter 5. Resources and Finance

As part of the national reform of the HRA subsidy system, in March 2012, the council completed the buyout of the HRA from the housing subsidy system for £113.7m, transferring a proportion of the national housing debt. Total HRA debt is currently £115m, an average of approximately £23,000 per property. The existing use value of social housing (EUV-SH) is held at 33% of market value. This EUV-SH is, for Ashford, approximately £54,600 (with the market value approximately £165,000). Both valuations are well below the average debt per unit.

As part of the HRA reform, government imposed a debt cap for each local authority. Ashford's debt cap was £126m, this limited the level of debt each authority could have for its housing stock.

During 2018 this council had been developing a bid to increase the debt cap by £61m. However, it was announced, as part of the 2018 autumn budget, that the HRA debt cap would be abolished from 29th October 2018, to enable councils to increase house building; a move endorsed by Ashford Borough Council.

We are in a position where, as a result of Right To Buy, if we don't continue to build and purchase stock then our unit numbers will continue to fall, resulting in a reduction of available social housing.

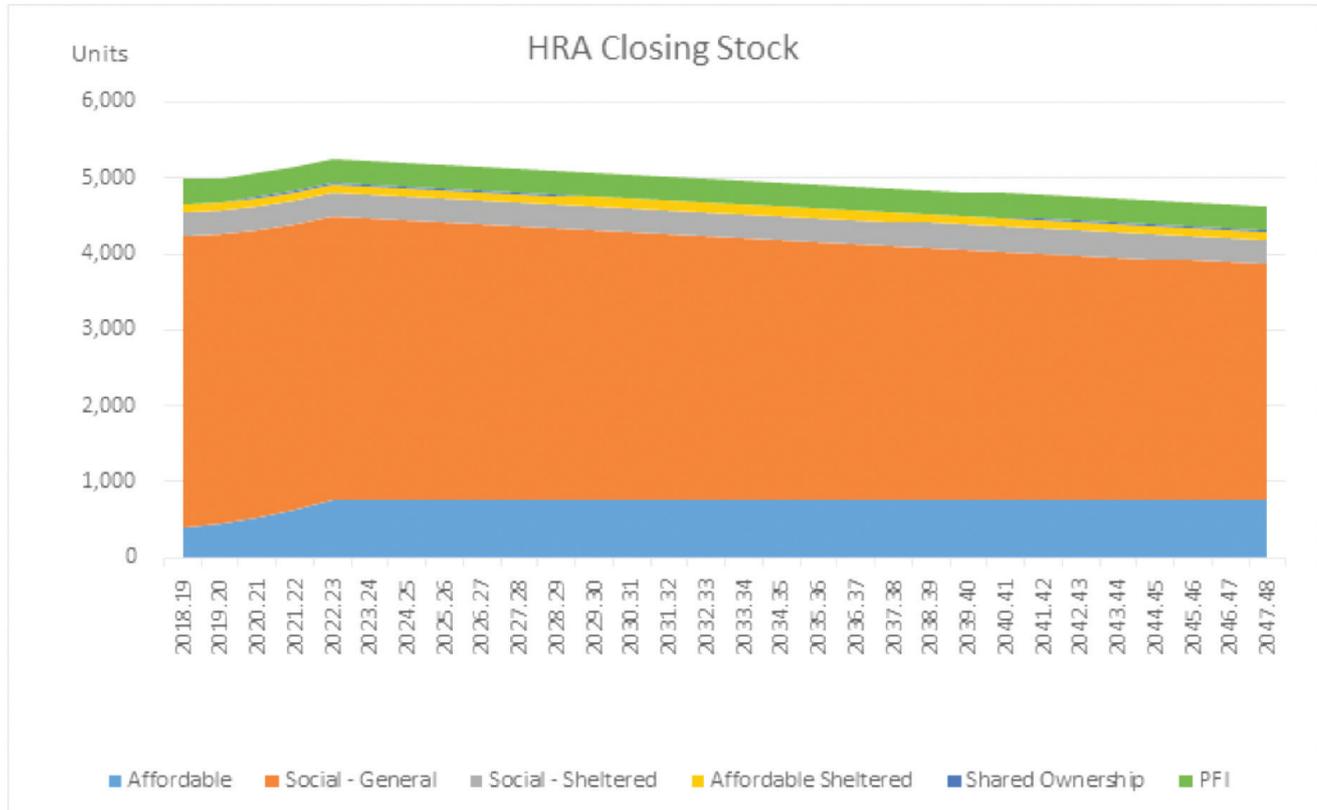


Figure 4. Projected numbers of social housing in the Ashford borough (with projections as reported to Cabinet in December 2018)

As can be clearly seen, the projected numbers of social housing will continue to fall, despite our efforts in house building. In fact the numbers fall from 4,891 to 4,623.

We are currently looking at re-profiling our projects to ensure affordability and payback for each project over the longer term. This includes looking at our resources as a whole to ensure financing and officers are able to support each development or purchase.

Any increase in stock numbers requires investment, but before we embark on any new projects or initiatives each project is tested for financial viability, not only as a self-contained project but also as part of the 30-year HRA business plan.

As a result of the buy-out the HRA currently has debt of £115m, which is around £23,000 per property. This value is significantly below the EUV-SH stated above. In simple terms, in a hypothetical scenario, if we were required to repay all our debt we could facilitate this repayment by selling off stock.

The council's Capital Strategy will, going forward, incorporate the borrowing requirements of the HRA. As such the borrowing limits of the council will include the capital financing requirement of the HRA with the Treasury Management Strategy built to support the council's objectives.

This plan is approved, by Cabinet, as part of the budget process and incorporates the council's capital plan.

Plan action: Housing will work closely with finance to understand:

- In line with Prudential Borrowing, what level of debt the organisation is happy for us to service
- What level of control is needed on the level of debt ultimately proposed
- What degree of tolerances housing has on projects
- Whether members will require to know what our level of debt is compared to overall debt across the General Fund
- What the sign-off process is in securing permission for each scheme proposed for delivery, given the variances at play in delivering rural schemes and dealing with contamination and utility costs on the remaining infill sites and the effects this has on payback periods
- How the HRA will work in the future
- How social rent can be delivered even outside of Homes England grant to make this approach more resilient should that funding stream cease
- The language and terminology used by each department
- The availability of right-to-buy receipts once outcomes are known on the government consultation held in 2018

Physical delivery

We have set out that we want to deliver more than we have previously delivered and, indeed, accelerate our delivery. This may require us to recruit internally to support this ambition. Any internal recruitment adding to the revenue costs of the Housing Revenue Account would need to be considered alongside the affordability of the 30-year business plan.

Table 9 in Chapter 4 sets out some of the alternative delivery mechanisms we will seek to employ, again given the Cabinet approval in December 2018 for housing services to explore these possibilities.

"We have been keen to retain skills internally and this helped us deliver in the HRA"

Capacity to deliver

We have been keen to retain skills internally and this has helped us deliver in the HRA and General Fund. Yet we need:

- To consider a skills and a capacity gap, to cover core work and putting frameworks/ access arrangements in place to procure all skills which are needed infrequently or at high demand.
- Core skills are currently: architectural, design, engineering, surveying from quantity surveying and building surveying
- Skills procured due to frequency of use are currently: geotechnical, ecological, architectural, topographical
- Skills procured due to capacity are: architectural, employer's agent, flood risk assessment
- Suggested skills gap given our current situation: land acquisition, sales agent (for shared ownership and cross-subsidy homes), and skills associated with land deals and JVs
- Suggested capacity issue with the HRA delivery: project manager (to accelerate delivery to anticipated level by anticipated time)
- To ensure we have enough resource and a structure in place that means existing staff are not asked to deviate from their core work when other opportunities or projects appear during horizon scanning
- To have an open approach to outsourcing work given the overall objective is delivery and factoring in staff availability and potential external costs when delivering projects thus providing true costs, not just build costs and materials, but staffing, fit out, decanting and home loss payments (where applicable)
- To think holistically and identify the tipping point where additional resource is required in the area management team. This is important because:
 - Additional homes require additional management
 - More active tenant involvement is required to reduce the stigma of living in social housing, as set out in the green paper.
 - To have an awareness of the impact of our plans on other services – such as: planning officers, finance, rubbish collection, the environmental team

A Better Choice for Property Ltd (“the Property Company”)

In 2014, Ashford Borough Council took the decision to set up an innovative property company. Its remit is to provide high-quality housing for market rent to meet the needs of the people of the borough – such as through acquiring private rental homes – and be the landlord for tenants in these properties. In its quest to acquire homes, and sites or land, there may be some crossover with the investigations the housing service is undertaking for its HRA.

While negotiations are confidential and the Property Company is a separate entity to the council (although being wholly owned by the authority), stakeholders do connect the Property Company to ‘the council’. Therefore, if both the housing service and the Property Company approach landowners, developers or RPs about sites independently it appears unprofessional and others will perceive a lack of communication internally.

Plan action: Housing will therefore maintain open communication channels with the Property Company and establish an agreement on sharing information to avoid artificially driving up prices and to ensure the best deals are reached for each organisation. Establishing an acquisitions group would ensure better communication and remove these risks when negotiating over potential assets.

Such a collaborative view on asset acquisition can only benefit both organisations.

Chapter 6. Risk

We manage risk within our own affordable homes build programme carefully with fortnightly, cross-directorate risk meetings. Issues are identified with the current build programme and future pipeline, taking a holistic approach across services as outlined in the previous chapter and sharing concerns with them. We take a granular approach to risk, looking at each site and the impacts of any slippages in turn.

Our quarterly development forums and quarterly attendance at site meetings with RPs assist them to deliver and mitigate the risk of them delivering out their sites, in addition to continued dialogue outside of these meetings.

Plan action: Housing will continue to hold fortnightly internal cross-departmental meetings to assess risk in its own delivery programme and will continue to host quarterly development forums for RPs serving the borough.

Many of the risks are set out in the PESTLE analysis in Chapter 1. The main financial risk is set out in the previous chapter.

Beyond new build

The Social Housing Green Paper identifies the stigma still attached to housing tenants in council-owned accommodation. It is therefore paramount that we maintain our stock to ensure it remains as tenure neutral from the façade as it began life to ensure that there is no visible sign that there is any perceived superiority or inferiority in the tenure of these and surrounding homes.

The restructure of the Development Team in 2018 included the post of Development Partnership Officer, who identifies ways to make the best use of the council's existing stock, mitigates the potential risk of under-utilising our current homes. They incentivise those tenants who are under-occupying to relinquish their homes and move to accommodation that is more suited to their needs and circumstances.

Additionally, they mitigate the risk of more complex individuals not being considered when new developments are submitted to planning, or when street purchase opportunities arise.

Plan action: Housing will acknowledge and mitigate risk in accordance with the details outlined in Table 11 below.

Risk	How we will mitigate risk
Lack of pipeline within our own affordable homes build programme	Developing a pipeline to ensure there is no stop-start effect in our own delivery programme and to ensure sustained, continual delivery of numbers – developing a solid programme
Stigma attributed to social housing	Adhering to our Asset Management Strategy – acquiring and disposing of stock as appropriate
Risk of non-delivery with RP sites under way	Continuation of quarterly development forums with RPs to ensure Ashford remains the focus for their delivery programmes, and attendance at site meetings to ensure smooth progress on sites around the borough
Risk of RPs not taking up delivery of s106 sites coming forward through the Local Plan	Building in greater flexibility when looking at s106 agreements and sites coming forward through that process – given the smaller numbers that those sites are delivering. We may have to step in ourselves as an authority to take on s106 homes if no RP comes forward, though this does not deliver additionality
Delivering on land we acquire ourselves through the HRA	We will work harder to establish a robust risk assessment process for site acquisition and utilise existing processes, which can be refined, to monitor progress through acquisition and build
Corporate awareness of our risk	We will update the HRA Business Plan annually to ensure visibility of our current plans – and awareness of our ability to move people on from temporary accommodation. However, as assumptions are run through the Business Plan to analyse potential outcomes from new innovations, we can update it more regularly given the level of communication between the Development Partnership Manager and the Senior Accountant
Reputational risk	Not delivering affordable housing in the numbers required, when the focus nationally is firmly on such delivery, will lead to negative reputational effects for the council
Affordability	Given the affordability pressure mentioned in previous chapters, we will investigate implementing a bespoke, income-based Ashford living rent in the borough – initially this would be trialled in the council's own housing stock and, if successful, could be rolled out in RP's stock subject to negotiation and dialogue
Land acquisition	Where the borough council's HRA, the property company or the General Fund are all looking at the same site, to avoid an additional reputational risk regarding land acquisitions, we will reach a hierarchical agreement on sharing information (governed by the Director for Finance and IT) between the three parties internally

Table 11. Identifying and mitigating risk in delivering affordable housing

Chapter 7. Refocusing and setting our trajectory

Our core priorities are:

- Building our own homes
- Enabling RPs serving the Ashford borough to deliver their schemes
- Ensuring s106 homes coming forward through our Local Plan are delivered
- Delivering our on-street purchase programme

Our other priorities are:

- Levering in more grant to assist with the viability and to aid the delivery of our affordable homes build programme
- Delivering social rent to increase genuine affordability for those on our housing waiting list
- Looking for opportunities to acquire homes and buildings that can be used or converted for temporary accommodation to ease any pressures as they arise in the General Fund in terms of homelessness
- Creating a sustainable pipeline for future delivery
- Innovating to accelerate delivery
- Working together across the council to ensure we have the capacity, resource and commercial acumen to call upon that match our aspirations
- Investigating new opportunities that arise but not being diverted unnecessarily from the core priorities we have identified above

Appendix 1. Housing's delivery pipeline in August 2019

Site	Delivering (affordable rent [AFR] unless stated)	How funded	Year start anticipated on site
Existing sites from phase 5 of our affordable homes programme			
The Weavers, Biddenden	2 x 2-bed bungalows	Right-to-buy (RTB) receipts are being used for Ragstone Hollow and The Weavers	Handover, due Dec' 2019
Ragstone Hollow, Aldington	2 x 2-bed and 2 x 3-bed bungalows		Handover, due Nov' 2019

The Big 3 sites			
These sites have Cabinet approval for housing services to explore further, and at the time of writing East Stour Court and The Poplars have planning permission while the remaining site at Halstow Way is under consideration in the planning system. Consultation events have been held in the community			
East Stour Court, Willesborough	30 units remodelled sheltered housing scheme	We are currently submitting a bid to Homes England for CASSH funding for East Stour Court and The Poplars	Start late summer 2019
The Poplars, Ashford	30 units of 'independent living' accommodation		Start January 2020
Halstow Way, Ashford	17 units of 'general needs' accommodation	We are planning to use RTB receipts	Start late summer 2019

Ten sites
Ten sites included in an exempt appendix in the Cabinet report of December 2018 are to be progressed following approval from cabinet to explore the sites' possibilities further. Indicatively, it is anticipated that these will deliver 51 units of accommodation. Architects will be instructed following a current tendering process to assist with design, community consultation and submission of the plans into the council's planning team.

Ten sites
These are sites included within the HRA debt cap uplift bid in September 2018 (before the government removed debts caps in the housing revenue accounts of local authorities). Some of these sites are smaller, infill sites. However, some of them have local opposition and a view will need to be taken as to whether they progress. These remaining sites total 80 units.
Of course, there are land acquisitions that will come forward as and when legal processes are completed – these will then be added to the above programme.

Appendix 2. Action Plan

These ongoing actions will be owned by housing and delivered during the delivery plan's life.

Key to job titles in 'Assigned to/resourced by' column: Director of Finance and Economy (DOF&E); Head of Housing (HOH); Head of Corporate Property and Projects (HOCP&P); Housing Operations Manager for Development and Neighbourhoods (HOMD&N); Housing Operations Manager for Property and Technology (HOMP&T); Housing Operations Manager for Options and Private Sector (HOMO&PS); Development and Regeneration Manager (D&RM); Housing Asset Manager (HAM); Neighbourhood Services Manager (NSM); Development Partnership Manager (DPM); Supported Housing Manager (SPM); Senior Accountant (SA); Senior Estates and Valuations Officer (SE&VO); Development Partnership Officer (DPO)

Action	Desired outcome	Assigned to
Housing will work with planning, legal and RPs to ensure the maximum number of affordable homes	Housing perceived as a thought-leader in Kent, delivering strong numbers on its own and in partnership	DPM, DPO
Housing will intervene if necessary to acquire units that RPs are not interested in taking	Developers know housing is serious about s106 delivery, with delivery dovetailing with that of RPs	DPM, DPO, HOMD&N, D&RM
Housing will acquire land to deliver future schemes using its delegated authority from Cabinet	Greater opportunities presented to grow housing's portfolio	D&RM, SE&VO, HOMD&N, DPM
Housing will work with KCC to ensure the number of extra care units required in the borough are delivered	Delivering homes relevant to Ashford and the county	HOMD&N, DPM, HOH
Housing will encourage 'rightsizing' to create movement in its stock	Best use of council homes enabling all households to be in accommodation appropriate to their needs	DPO, DPM
Housing will 'rebrand' older persons' services as 'independent living' accommodation	Removing the perceived stigma that the term 'sheltered housing' evokes	HOMD&N, DPM, NSM; SPM,
Housing will think 'beyond new build' to maintain existing stock – as a small part of our tenant engagement work, while linking in with the Tenant Participation Strategy	Visually creating the impression that all council stock is well looked after and tenure blind on streets within the borough, removing any stigma about our homes for our tenants	HAM, HOMP&T, HOMD&N, NSM, DPM
Housing will search for every possible solution to deliver affordable housing and create balanced communities	Maximising delivery channels	DPM, HOMD&N, D&RM,
Housing will deliver affordable housing alongside the themes identified in the council's Corporate Plan	Demonstrating housing's willingness to work and thinking at a strategic level	DPM, HOMD&N, D&RM
Housing will ensure short-stay, temporary accommodation facilities are built and handed to the General Fund	Housing playing its part to reduce homelessness in our borough	HOMD&N, HOMO&PS, DPM, D&RN

Housing will build quality homes that are sustainable and more energy efficient	Reduced energy bills for residents, better environmental outcomes	D&RN, HOMD&N, DPM, DPO
Housing will have a range of considerations when considering new-build homes – working in partnership with both internal departments and external partners	The right homes are delivered in the right places	DPM, DPO, HAM, D&RN
Housing will work closely with finance at all times	Better understanding of borrowing capacity, 1-4-1 monies, control required and sign-off procedures	DPM, SA
Housing will work closely with the Property Company	Maintaining the professional appearance of the council as a whole	HOMD&N; HOCP&P, HOH
Setting up an acquisitions group to identify the best outcome for land and sites	Presenting a more professional approach to	HOMD&N, HOCP&P, DOF&E

Appendix 3. Glossary of terms

While every effort has been made to explain all terms used within this document, it is still useful to have a final section listing the terms in alphabetical order. Similarly, where terms are spelt out in full the first time they are used, they may be subsequently abbreviated. Again it is felt useful to detail these here.

Term	Explanation
1-4-1 monies	Under current Right to Buy legislation, council tenants – and housing association tenants who transferred with their homes from council landlords – have the right to buy their home at a discount. Local authorities are able to retain one third of these additional sales receipts to fund the provision of the replacement stock. The money must be spent within a three-year period or be paid back to the government with interest. (A consultation was held in 2018 regarding extending the three-year period and also the percentage of receipts the council can retain – we await the outcome of this at the time of writing)
1% rent reduction	In the November 2015 budget the then Chancellor of the Exchequer imposed a 1% rent reduction in social housing to run for four years beginning from April 2015. This saved reduced costs for the government but hindered the council's ability to implement programmes of planned maintenance work and new build construction within its HRAs
Affordable	Affordable housing can be accommodation that is either rented or part-owned by its occupier. NPPF guidance suggests affordable rent is set at up to 80% of market rent. This definition is what we mean when we say affordable housing in this delivery plan – with social rent being up to 60% of market rent. Affordable home ownership relates to products including shared ownership, a part-rent, part-buy scheme. This offers entry onto the property ladder at a lower initial outlay with opportunities to own further shares in the property at a later date (known as 'staircasing')
Affordable Housing SPD (Supplementary Planning Document)	Supplementary Planning Documents add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design, or in this case affordable housing. SPDs are capable of being a material consideration in planning decisions but are not enforceable
Ashford Living Rent	An idea being scoped out by the council's housing services team to deliver truly affordable rents in the Ashford borough
Big 8 projects	A raft of major economic regeneration projects delivered, or in the delivery phase, by the council during the period of the 2015-2019 political administration
CASSH (Care and Specialised Supported Housing Fund)	The Care and Support Specialised Housing Fund (CASSH) aims to support and accelerate the development of specialist affordable housing which meets the needs of older people and adults with disabilities or mental health problems. Since 2013 Homes England has allocated £150m capital funding to specialist housing providers, on behalf of the Department of Health and Social Care, to bring forward proposals
Complex cases	A complex case may be a household with a requirement for a housing, or a specific home in a specific area – perhaps because of a disabled family member – where such a need exists the council will work with RPs, developers and architects to see if homes can be delivered on new developments where such accommodation cannot be brought forward through our existing stock or our street purchase programme

Development team	A team of three officers within the council's housing service department whose role is to deliver and enable affordable housing delivery both internally and through the RPs working in partnership with the council in the borough. Additionally, the team looks at making the best use of our council stock – through encouraging 'right-sizing'
General fund	The General Fund is a budget that includes all income and expenditure incurred in the day-to-day running of the Council comprised of all services other than housing. Capital budgets include income and expenditure, which acquire, enhance or improve long-term assets
HRA (Housing Revenue Account)	The HRA is a ring-fenced part of the General Fund. It deals with all transactions relating to the Council's function as a housing landlord. The HRA takes its income from rents and services charges collected from tenants, and spends this money exclusively on maintaining its existing housing stock as well as investing in new housing.
HRA debt cap	Until autumn 2018, there was a debt cap imposed on local authorities HRAs. Councils could borrow money within their HRAs to build more homes to provide more income, or refurbish or regenerate existing stock. However, each council had a limit as to how much they were allowed to borrow – a limit tighter than the value of the stock they owned. With this restriction now gone, it is hoped that local authorities will accelerate their delivery of new-build council housing
Housing waiting list	This is a list of applicants who are assessed in terms of their circumstances (over-occupying, threatened with eviction etc), priority need and the length of time that they have been waiting. Those without a local connection to Ashford or who already have adequate accommodation will be deemed ineligible for registration
JVs (Joint ventures)	Where two RPs join forces, combining their expertise and resources, to deliver a housing development that alone they would not have been able to deliver
KPIs (Key performance indicators)	These are a mechanism for evaluating the factors that are important to the success of a project or organisation. The purpose of using KPIs is to focus attention on delivery outcomes
Local Plan	Local plans must be consistent with national policy but can also take on board local planning issues. The Ashford Local Plan 2030 sets out the land that needs to be provided in the borough to accommodate new homes and jobs up to 2030. It contains a number of sites across the borough proposed for development as well as establishing planning policies and guidance to ensure local development is built in accordance with the principles of sustainable development.
MMC (Modern methods of construction)	Modern construction methods (MMC) are methods that are developed so that construction time is reduced, as is cost (in sufficient volumes) without compromising sustainability
NPPF (National Planning Policy Framework)	The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied ¹ . It provides a framework within which locally-prepared plans for housing and other development can be produced.
Right-sizing	Where someone moves from a property they may be under-occupying to a home more appropriate to their housing needs
RPs (Registered Providers)	Housing associations registered to provide social housing in the Ashford borough
Section 106 agreements/sites (s106)	These are legal agreements between councils and developers that are linked to planning permissions. They are drafted when it is considered that a development will have significant impacts on the local area, such as on its road infrastructure. Areas that benefit from the money sought to redress the balance of this impact, include public open spaces, education and affordable housing

Social Housing Green Paper	Called 'A new deal for social housing' the Green Paper aims to rebalance the relationship between landlords and residents, tackle stigma and ensure social housing can act as a stable base and support social mobility
SHMA (Strategic Housing Marketing Assessment)	The SHMA forms part of the evidence base to support housing and planning policies. It informs the size, type and tenure of homes that the borough should be looking to provide
Strategic Performance Indicators	These are an additional mechanism for evaluating the factors that are important to the success of a project or organisation. These provide an additional check to ensure progress is being made towards declared ambitions and targets
Street purchase programme	The council uses 1-4-1 monies to acquire homes on the open market that represent good value for money – often this is for smaller homes that require minimal work to get them to a lettable standard and that we could not build for less, or may be old council stock in areas where we have existing homes that are managed by the council's area management team
Tenures	Such as social rent, affordable rent, shared ownership, private rent and private sale homes
Tenure neutral	In direct response to the Green Paper, there is a need to ensure that affordable housing is indistinguishable from any other tenure of housing – not grouped together on new build developments, not different in its appearance and not running into disrepair if it is older housing stock so as to differentiate it from open market housing

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Joint Transportation Board

Minutes of a Meeting of the Joint Transportation Board held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **10th September 2019**.

Present:

Cllr. B Heyes (Chairman);
Mr P W Bartlett (Vice-Chairman);

Cllrs. Anckorn, Burgess, Forest, T Heyes, Michael,
Mr D Farrell, Mr P M Hill, Mr C Simkins

Mr. K Ashby – KALC Representative.

In accordance with Procedure Rule 1.2 (c) Councillor Anckorn attended as a Substitute Member for Councillor Ward.

Apologies:

Cllr. Ward, Mr M J Angell, Mrs C L Bell, Mr S J G Koowaree

Also Present:

Cllrs. Campkin, Chilton, Rogers, Smith, White

Senior External Communications Manager – Southeastern Railway, Project Manager – J10A (Highways England), Stakeholder Liaison – J10A (Vinci Construction UK), Senior Highway Manager - (KCC), Ashford District Manager – (KCC), Community Safety and Wellbeing Manager – (ABC), Parking, Highways and Transportation Technical Officer - (ABC), Civil Enforcement Officer Team Leader - (ABC), Member Services Liaison Manager – (ABC).

114 Declarations of Interest

Mr Bartlett	Made a 'Voluntary Announcement' as he lived close to Junctions 10 and 10A of the M20.	119
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115 Minutes

The Chairman referred to Minute No. 30 – Operation Brock – M20, and advised that he had written to Chris Grayling MP and Grant Shapps MP (the former and current Secretary of State for Transport) requesting that the London bound section of the M20 between Junctions 9 and 8 be returned to three carriageways, however he said that he had not received a reply. He also said that he understood that with effect from 21st October 2019 the London bound carriageway between Junctions 9 and 8 would become contraflow.

Resolved:

That the Minutes of the Meeting of this Board held on the 11th June 2019 be approved and confirmed as a correct record.

116 Southeastern Railway

The Senior External Communications Manager from Southeastern Railway gave a presentation on their current activities and particular operational issues.

He explained that recently the Department for Transport had cancelled the franchising exercise and Southeastern had had their current franchise extended to 1st April 2020. In terms of punctuality, he said that this was extremely important for commuters, which comprised 70% of their customers, and said that he was pleased that this had improved by 6% and which reflected close working with Network Rail. Timetable improvements would also reduce the journey time by 1 minute and 30 seconds between Canterbury and Ashford. The timetable would also shortly be adjusted to reflect the autumn leaf fall.

He also advised that Network Rail would be undertaking track, points and drainage work over the Christmas period and Ashford Station would be closed from the 25th to 30th December. Full details of the closure and alternative arrangements would be provided in due course.

Following the presentation the Senior External Communications Manager advised that he had received some questions in advance of the meeting and a summary of the responses to these and other questions/issues raised at the meeting is set out below:

- In terms of automatic delay payments for Key Card season ticket holders, this was not possible at the present time as it relied on key card tap in machines which were not in place at all stations. This issue, and other enhancements were, however, being looked at in conjunction with the Department for Transport. Claim forms on the web had been revised to pre-populate with the customer information details.
- The problem of traffic tailing back down Station Approach at peak times was acknowledged and it was the view of Southeastern that the whole station needed to be redesigned to enable it to cater for all modes of transport. The station was owned by Network Rail and HS1, with Southeastern being the franchise holder and he was considered that a Masterplan needed to be developed with the Borough Council. Interim discussions could be held with the Kent County Council regarding the timing of the traffic signals at the junction with Station Road. It was accepted that the International side of the station was quieter and perhaps this could be used for passenger drop offs. The Vice Chairman encouraged Southeastern to contribute to the forthcoming consultation exercise which would be undertaken by the Borough Council in terms of its proposals for a new multi storey car park on Station Road.

- The Passenger Information Team provided service updates via Twitter, Facebook and the App and steps had been taken to provide more information on departure boards such as the number of coaches and on onward journeys.
- He was pleased to explain that 24 hour notice was not required in terms of passengers requiring assistance, but if this was known in advance it helped in terms of ensuring that staff were in place to help. Specific training was also being provided for on board train conductors in terms of guiding passengers and upon how to deal with other disabilities.
- In terms of the availability of toilets on HS1, data showed these to be at between 98% and 99%, with a slight drop off by less than 1% by the evening. If the accessible toilet was unavailable, this would be indicated on the departure board. Although the 98% figure was contested by the Chairman, the Senior External Communications Manager said that he had personally examined the data with the Head of Engineering and he could assure the Board that the information was correct.
- The HS1 service had been in service since 2009 and over the 10 years they had carried in the region of 100m passengers. Average annual growth was 11%, which compared to 3.8% nationally. This demand therefore created a challenge, and Southeastern worked with Hitachi to ensure that more of the fleet was put into traffic. At weekends demand was less predictable, but they took into account events such as football matches and the weather and if possible adjusted the service accordingly. In terms of the future, Network Rail had examined the proposed housing growth figures for Kent and how this would be dealt with in terms of increases in rolling stock would need to be part of the franchise process and ultimately this was a matter for the Secretary of State as the rolling stock had a life far beyond the usual extent of the lengths of the rail franchises.
- The Journey Planner app now contained information about the number of coaches forming the trains and from May 2018 two morning peak trains had been extended from 6 to 12 coaches. In terms of the ticket machines at Ashford Station, and whether they could be increased, this would be raised with the relevant team at Southeastern. It was clarified that passengers did need a ticket before travel, however, if that had not been possible – for example, station ticket vending machines out-of-order - tickets could be purchased on board from the conductor. Details of the policy on this was set out on the website as part of the National Rail Conditions of Carriage.
- In terms of using a mobile phone for tickets, the technology did not currently cater for this but it was being explored. Smart tickets were available via the Key smart card. Tickets could be purchased in advance using a mobile phone or online, and then loaded onto the Key by tapping at a station ticket office, ticket machine or ticket gate. If this has not been possible, then conductors also had the technology to load pre-purchased tickets onto a passenger's Key.

- The car park on the International side of the station was owned and operated by HS1.

The Chairman thanked the Senior External Communications Manager for the presentation.

Resolved:

That the presentation be received and noted.

117 Parking and Waiting Restrictions – Update Summary

The report provided an update and summarised parking and waiting restriction schemes that had been through the Joint Transportation Board. The Parking, Highways and Transportation Technical Officer explained that Amendment Orders 6 and 7 had been made and Order 8 had now completed the consultation process and was now in force. He also drew attention to other proposed amendments.

The Ward Member for the Highfield Ward referred to problems with parking in the vicinity of the school on Church Road and asked whether more could be done to deal with parking in the area, including vehicles parked across residential driveways and dropped kerbs.

The Parking, Highways and Transportation Technical Officer explained that civil enforcement around schools was hampered as exemptions existed for the dropping off and collection of passengers, especially young children, on most parking restrictions; this included areas where the footway was lowered.

He further explained that it was not possible to enforce against vehicles parked across residential driveways. Genuine obstruction should be reported to the police. He also said that enforcement could push the problem further down Church Road and said that he also understood that buses regularly experienced problems using Church Road.

The Ward Member explained that there were regular problems for public transport and referred to an incident where a bus driver had been assaulted by another motorist.

The Ward Member suggested that a dedicated parking area for the school needed to be investigated, to try to keep vehicle movement away from the school sites and Church Road.

Resolved:

That the update on schemes be noted.

118 Overnight HGV Enforcement and Clamping

The report gave details of the operation of the permanent Traffic Regulation Order (TRO) to manage the overnight parking of HGV's on the A20 Ashford between Charing and Ashford and four Industrial Estates in the Borough.

The Civil Enforcement Officer Team Leader explained that the permanent Order had been sealed on 15th July and would be enforced from 16th September 2019. Furthermore the Department for Transport had agreed to allow clamping on the first offence with a release fee of £150.00. In future it was proposed that an Annual report be submitted to the Board.

The Vice Chairman said that local residents were very grateful for the action and he said that he wished to congratulate the team of officers for all their work.

Resolved:

That the report be received and noted and in future the operation of the scheme be the subject of an annual monitoring report to the Board with intervening reports in the event that decisions are needed from the Board on the running of the scheme,

119 M20 J10A Construction Programme Update

The report advised on progress on the above scheme since the last meeting in June 2019.

The Project Manager outlined the work undertaken and advised that:- the construction of the new junction and 4 slip roads was progressing and the key South-East Water diversion through the new bridge was in place and commissioned; the installation of the overhead gantries had been undertaken; Kingsford footbridge had opened following the demolition of the old Highfield Lane bridge; the new roundabout on the A2070 had opened allowing traffic to return back towards Orbital Park Roundabout; improvements to traffic flow on the M20 and the installation of a 60mph speed limit through the road works in both directions had been introduced.

The Vice Chairman congratulated the team for all their work over the past few months and said that he was pleased that the recent traffic management measures during the latest motorway closure had been much improved from previous ones. He also said that in view of the recent announcement by Her Majesty's Revenue and Customs (HMRC) that they wanted to use a site at Waterbrook for Custom Clearance, it was imperative that the new junction was completed by 31 October 2019.

The Project Manager advised that based on the current programme it was not possible for the new junction to be open to traffic by 31 October and he said that he had not received any instructions to accelerate the scheme. If lorries were to use the new junction to access the truck stop it would need to be under controlled conditions.

The Senior Highway Manager explained that he was part of the Kent Resilience Team who was working with the Department for Transport (DfT) and said that it was essential that Junction 10A was available for freight to use to access the Truck Stop and he agreed to raise this issue with both the DfT and HMRC as a matter of urgency.

The Ward Member for the Highfield Ward referred to the residents of Nightingale and Kingfisher Close and explained that they were experiencing noise from the new roundabout and headlights were shining in their bedroom windows. He said that a resident had been advised by the contactor to purchase a blackout blind. Furthermore, trees had been removed which made the situation worse. Businesses in Barrey Road and Foster Road were also suffering and had seen a loss of 47% of their trade and he considered that compensation should be made available to them.

The Project Manager said that he had difficulty in believing that the contractor had made such a comment about blackout blinds and explained that he had visited residents of Nightingale Close and explained to them the need to clear the trees and drainage runs. He also said that some residents had moved the fence onto land being used for the junction works. He was also due to meet with the Managing Director of Ashbury Furniture in the next two weeks to discuss the works being undertaken on Barrey Road and advised that he did not believe that compensation would be payable under the Development Order process. The Ward Member asked to be invited to that meeting. The Vice Chairman advised that the Chief Executive of ABC had written to the relevant government department seeking business rate relief in view of the likely impact of the customs clearance facility at Waterbrook.

In response to a question about whether the balancing ponds were filling up, the Project Manager said that they were not yet complete. In terms of when the resurfacing works to the M20 between Junctions 9 and 10 would be completed, he explained that these were not part of the contract he was managing, but he undertook to arrange for details of that resurfacing programme to be made available to members of the Board.

The Ward Member for Highfield enquired about the background to the proposed works to remove a grass verge on Canterbury Road and the Ashford District Manager undertook to respond to the Member direct.

Resolved:

That the report be received and noted.

120 Department for Transport Acoustic Camera Trial

The report advised that the Department for Transport (DfT) had commissioned a prototype noise camera to be tested at several locations over the next 7 months. The cameras were designed to measure the sound levels of passing vehicles to detect those that were breaking legal noise limits and could use automated number plate recognition to help enforce the law.

A further report would be submitted to the Board following the conclusion of the trial and a review of the trial recommendations.

Resolved:

That the report be received and noted.

121 Aylesford Place and Newtown Road Underpass Repairs

The report advised of concerns raised by residents in respect of the repair of the lighting and the overgrowth of the paths leading into the subway and explained that Network Rail, HS1, KCC and ABC had been working together to seek a resolution to ensure the work was completed and the future responsibility confirmed.

One of the Ward Members for the Aylesford and East Stour Ward gave the background to the current situation as he understood it and explained that five attempted muggings had taken place and the adjacent shop had been subject to a robbery. He therefore welcomed the report and the situation being resolved.

In response to a question the Senior Highway Manager explained that KCC would receive the quotations for the work and he also undertook to advise Members when the works were likely to be completed.

Resolved:

That the report be received and noted.

122 Highway Forward Works Programme 2019/20 onwards

The report updated Members on the identified schemes approved for construction in 2019/20.

Mr Ashby referred to the Appledore Road/Bench Hill/Woodchurch Road works and asked why this was now shown as 'to be programmed' when in June the work had been programmed to take place in August. The Ashford District Manager explained that it was not unusual for works to be reprogrammed, although she did not have a revised commencement date. In terms of whether the remaining section of Appledore Road would be resurfaced, the Ashford District Manager said that the overall works programme had scope for it to be added in the future.

The Vice Chairman also referred to the bridge strengthening works at Flood Street, Mersham and asked that future reports contain information on all bridge strengthening works in the Borough.

Resolved:

That the report be received and noted.

123 Strategic Transport Group

The Chairman said that he wished to draw to Members attention the forthcoming meeting of the Strategic Transport Group to be held at 9.30am on Friday 20th September when they would receive presentations from Kent County Council and the Society of Motor Manufacturers and Traders on electric vehicles. He encouraged Members to attend what he believed would be an interesting meeting.

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NOTES OF THE ECONOMIC REGENERATION & INVESTMENT BOARD

11th September 2019

Attending: Cllr. Clarkson (Chairman)
Cllr. Bartlett (Vice-Chairman)
Cllr. Clokie
Cllr. Ovenden
Cllr. Shorter

Also Present: Chief Executive
Director of Finance and Economy
Head of Legal and Democracy
Communications & Marketing Manager
Senior Accountant
Head of Corporate Property and Projects
Principal Solicitor for Property & Projects
Head of Planning & Development
Member Services and Ombudsman Liaison Officer

	ACTION
<p>1. <u>Notes of the Previous Meeting</u></p> <p>The Notes of the Meeting of the Economic Regeneration and Investment Board held on 28th March 2019 were agreed and confirmed as a correct record.</p>	
<p>2. <u>Draft Terms of Reference</u></p> <p>Members discussed concerns over the appointment of Substitutes at Board meetings and it was agreed that an additional Member should be appointed to the Board to increase the likelihood of reaching a quorum at each meeting. It was also agreed that any Substitute should be familiar with the events and issues under discussion at the meeting. Members were content that some matters could be dealt with via email, outside a formal meeting, if necessary.</p> <p>Resolved:</p> <p>That the draft Terms of Reference be agreed, subject to some minor re-wording and the addition of a sixth Member.</p> <p>It was considered that investment reports should be viewed by the Board</p>	

<p>prior to Cabinet, and the Head of Corporate Property and Projects undertook to provide half-yearly reports to the Board. The Head of Corporate Property and Projects said the Investment Strategy would be submitted to the Board in November.</p>	<p>PMcK</p>
<p>3. <u>Multi-Storey Car Park Update</u></p> <p>The Head of Corporate Property and Projects introduced this item. He said in view of the quarterly budget monitoring report and the current car parking capacity within the Town Centre, it was recommended that the delivery of the MSCP project be put on hold for the time being and reviewed regularly. However, the outline planning application would proceed to Planning Committee in November 2019.</p> <p>Members agreed with the proposals but considered that there should be clarification that the MSCP project would be finalised before any commencement of the Vicarage Lane development.</p>	
<p>4. <u>Proposed Disposal of Land</u></p> <p>The Head of Corporate Property and Projects introduced this item and explained the background on previous discussions regarding the disposal of this land. The Principal Solicitor for Property & Projects explained the options available. Members were agreed that this was a flagship street in the town centre and that there must be an emphasis on quality of design. The Head of Planning and Development advised that any proposals would be discussed by the Design Review Team, and presented at a full Members' briefing session before proceeding to Planning Committee.</p> <p>Members agreed to the proposed disposal, on the conditions that quality of development was assured, and that a longstop on delivery was agreed.</p>	
<p>5. <u>Vicarage Lane Project</u></p> <p>The Head of Corporate Property and Projects advised that this was a short report by the consultant. He pointed out that the report was co-authored by Helen Bonneville and he clarified the roles of the consultants and the current situation regarding the procurement process. He said the project was progressing at a quick pace, in budget, but was predicated on the MSCP being built out.</p> <p>Members agreed that the project should be put on hold for the time being pending the findings of Historic England, and it was also agreed that the Police and Fire Brigade could use the building for training purposes on a temporary basis, subject to a licence which would include various conditions.</p> <p>Members expressed concern at the condition of some properties at the</p>	

<p>back end of the lower High Street. They agreed that any design scheme should include options for making improvements in this area.</p> <p>In response to a question, the Head of Corporate Property and Projects clarified that the alleyway directly next to the old Odeon building and leading onto the High Street belonged to KCC.</p> <p>Members agreed that some Members should sit on the project delivery board in order to ensure adherence to budget and timelines.</p>	
<p>6. <u>Update on Conningbrook H2 and Country Pub/Hotel</u></p> <p>The Head of Corporate Property and Projects introduced this Update Report and explained the background. Negotiations were underway regarding the commercial agreement, and the pub/hotel proposals were progressing well. Preliminary designs were expected in the next few months.</p> <p>The Chief Executive reported that, regarding the KCC Depot site, the Council had provisionally agreed freehold purchase of the site, conditional on educational resources being provided and leased back to KCC for an agreed period. She said she would bring any further information back to the Board.</p>	
<p>7. <u>Date of Next Meeting</u></p> <p>9th October at 2pm in the Council Chamber.</p>	

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ASHFORD
BOROUGH COUNCIL

Agenda Item No:

Report To: CABINET

Date: 10TH OCTOBER 2019

Report Title: SCHEDULE OF KEY DECISIONS TO BE TAKEN

Report Author and Job Title: Danny Sheppard, Member Services Manager (Operational)

Portfolio Holder: Portfolio Holders are individually specified in the attached Schedule.

Summary:	To set out the latest Schedule of Key Decisions to be taken by the Cabinet of Ashford Borough Council.
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Key Decision: NO

Significantly Affected Wards: Where appropriate, individual Wards are indicated.

Recommendations **That the Cabinet receive and note the latest Schedule of Key Decisions.**

Policy Overview: Under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, there is no longer a legal requirement to publish a Forward Plan of Key Decisions, however there is still a requirement to publish details of Key Decisions 28 clear days before the meeting they are to be considered at. The Council maintains a live, up to date rolling list of decision items on the Council's website, and that list will be presented to the Cabinet each month, in its current state, for Members' information.

Financial Implications: Nil

Legal Implications: n/a

Equalities Impact Assessment n/a

Other Material Implications: Nil

Exempt from publication: No

Background None

Papers:

Contacts:

danny.sheppard@ashford.gov.uk – Tel: 01233 330349

**CABINET
SCHEDULE OF KEY DECISIONS TO BE TAKEN**

The following Key Decisions will be taken by Ashford Borough Council's Cabinet on the dates stated.

Ashford Borough Council's Cabinet is made up of: - Councillors Gerry Clarkson; Paul Bartlett; Bill Barrett; Neil Bell; Andrew Buchanan; Paul Clokie; Peter Feacey; Jo Gideon; Alan Pickering; and Neil Shorter.

Copies of the reports and any other relevant documents that are submitted to the Cabinet in connection with a proposed decision will be available for inspection, or on screen, five clear days before the decision date at the Civic Centre, Tannery Lane, Ashford and at The Town Hall, 24 High Street, Tenterden, during opening hours, or at <https://ashford.moderngov.co.uk>

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
10th October 2019					
HRA Affordable Homes Programme Update, HRA Budget Report Update, and the Affordable Housing Delivery Plan	<i>To update members on the delivery of approved projects, seek approval for any new sites and reiterate the grant assumptions that have been made in the Business Plan to ensure we are maximising flexibility in our funding bids to Homes England, and making full use of right-to-buy receipts, while taking a holistic approach to delivery and enabling.</i>	Cllr Barrett	Mark James	Open (exempt Appendix)	25/7/19

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Corporate Property and Projects Restructure	<i>To set out the new vision for the service to help make it more flexible and responsive to the needs of all its users. The restructure is to manage a corporate property resource who's focus will be on delivery a high quality and expansive service.</i>	Cllr Clokie	Paul McKenner	Open (exempt Appendix)	18/7/19
Proposed Local Authority Lottery Scheme	<i>To seek members approval to undertake the necessary legal and project management tasks to develop and deliver a local authority lottery scheme.</i>	Cllr Feacey	Michelle Byrne	Open	8/7/19
Adoption of the WYE3 / WNP11 Masterplan	<i>To set out the revised and updated context for the draft masterplan and recommend whether the masterplan should now be adopted as it stands or whether additional amendments should be made.</i>	Cllr Shorter	Simon Cole	Open	23/5/19
Adoption of village envelope boundary maps – Wye and Warehorne	<i>To adopt the proposed village envelope boundaries for development management purposes.</i>	Cllr Shorter	Simon Cole	Open	9/7/19
28th November 2019					
Corporate Performance Report	<i>To give Members and residents an overview of how the council is performing with a key performance 'snapshot'.</i>	Cllr Bell	Tom Swain	Open	9/11/18

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report.</i>	Cllr Bell	Maria Stevens	Open	9/11/18
Medium Term Financial Plan	<i>To ask Cabinet to note the Medium Term Financial Plan ahead of this year’s Budget process.</i>	Cllr Bell	Maria Stevens	Open	9/11/18
Royal Military Canal		Cllr Feacey	Len Mayatt	Open	21/2/19
Street Trading Policy Amendment		Cllr Gideon	Trevor Ford	Open	16/8/19
Statement of Licensing Policy		Cllr Gideon	Trevor Ford	Open	16/8/19
Community Connection	<i>To update Members on the community connection scheme and secure funding to increase the number of buses and expand provision to additional Parish Councils.</i>	Cllr Gideon	Sarah Richards/ Alison Oates	Open	16/9/19
19th December 2019					
Draft Budget 2020/21	<i>To present the preliminary draft service budget and outline MTFP for the purposes of subsequent formal scrutiny by the O&S Task Group and public consultation.</i>	Cllr Bell	Maria Stevens	Open	7/12/18

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Council Tax Base 2020/21	<i>To present for approval the estimated 2020/21 Council tax base calculation for the Borough and each parished area, on which the major preceptors and local Parish Councils will base their requirements.</i>	Cllr Bell	Maria Stevens	Open	7/12/18
Creative Chilmington - Strategy Endorsement		Cllr Feacey	Chris Dixon	Open	6/9/19
30th January 2020					
Revenues & Benefits Recommended Write-Offs Schedule	<i>Proposed formal write-off of debts</i>	Cllr Bell	Nic Stevens	Open (Exempt Appendix)	11/1/19
Corporate Plan – Approval to Commence Consultation on Draft Corporate Plan 2020		Cllr Clarkson	Lorna Ford/ Jennifer Shaw	Open	11/3/19
27th February 2020					
Revenue Budget 2020/21	<i>To present the draft revenue budget for 2019/20 to the Cabinet for recommendation to Council.</i>	Cllr Bell	Maria Stevens	Open	15/2/19
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Bell	Maria Stevens	Open	15/2/19

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Corporate Performance Report	<i>The report seeks to give Members and the Borough's residents an overview of how the Council is performing. It seeks to do this in a transparent and easily-accessible manner, giving a key performance 'snapshot'.</i>	Cllr Bell	Tom Swain	Open	9/2/18
26th March 2020					
Annual Pay Policy Statement (Including Review for 2020/21)	<i>A review of the annual Pay Policy Statement and Ashford Living Wage Allowance</i>	Cllr Pickering	Michelle Pecci/ Joy Cross	Open	15/3/19
30th April 2020					
28th May 2020					
Corporate Plan - Report on Consultation Findings and Approval to Publish Corporate Plan 2020		Cllr Clarkson	Lorna Ford/ Jennifer Shaw	Open	11/3/19
25th June 2020					
Final Outturn 2019/20	<i>Final budget outturn for previous financial year.</i>	Cllr Bell	Maria Stevens	Open	14/6/19

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Corporate Performance Report (Quarter 4) and Annual Performance Report 2019/20	<i>To give Members and residents an overview of how the council is performing with a key performance 'snapshot' and the Annual Report will build upon the contents of quarterly performance monitoring, but will also include the following information – An Introduction from the Leader and Chief Executive; Facts and figures about Ashford; Timeline of key achievements in the Borough over the calendar year; Borough achievements; and a Financial Summary.</i>	Cllr Bell	Tom Swain	Open	14/6/19
30th July 2020					
Revenues & Benefits Recommended Write-Offs Schedule	<i>Proposed formal write-off of debts</i>	Cllr Bell	Nic Stevens	Open (Exempt Appendix)	12/7/19
27th August 2020					
KEEP CLEAR FOR HOLIDAYS					
24th September 2020					
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Bell	Maria Stevens	Open	13/9/19

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Corporate Performance Report	<i>To give Members and residents an overview of how the council is performing with a key performance 'snapshot'.</i>	Cllr Bell	Tom Swain	Open	13/9/19
Corporate Commercial Property Strategy – Annual Report	<i>To advise of the revenue performance of the Council's corporate property portfolio during the last financial period and to advise of proposals to increase profitability in the coming financial period.</i>	Cllr Clokie	Paul McKenner	Open	13/9/19
Section 106 Agreements – Annual Progress Report	<i>Focus on s106 contributions received in the last year, contributions secured in new agreements and projects that have been supported by s106 funding.</i>	Cllr Shorter	Tim Naylor	Open	13/9/19

***If you wish to contact a Report Author by email, unless stated otherwise, the addresses are;
first name.surname@ashford.gov.uk***

23/9/19

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Agenda Item No: 16
Report To: Cabinet
Date: 10th October 2019
Report Title: Corporate Property & Projects - Service Changes
Report Author: Paul Mckenner, Head of Property & Projects
Portfolio Holder: Cllr. Paul Clokie, Regeneration and Corporate Property Portfolio Holder

Summary: The Cabinet are requested to consider the proposals in the report, the impact this will have on the delivery of service priorities and the consultation process followed.

The General Fund financial impact will be recoverable through capital projects and there is an increase in the Housing Revenue Account (HRA) resources to ensure the Affordable Housing Programme (AHP) is delivered. The detail of the AHP is in the HRA Business Plan report elsewhere on the agenda.

Key Decision: No

Significantly Affected Wards: Not applicable

Recommendations: The cabinet is recommended to:

- I. endorse the recommendation of the Joint Consultative Committee of 27th September 2019, which notes the outcomes of the consultation and proposals in the Corporate Property & Projects Service.
- II. approve the implementation of the service changes of the Corporate Property & Projects Service as outlined in the JCC report of 27th September 2019.
- III. Council to approve the potential costs of £46,427 resulting from early release of the pension on grounds of redundancy.

Policy Overview: The proposals will support the service in delivering both the current Council's corporate plan and its development; in particular the underlying principles.

Managing Restructure, Redundancy and Organisational Change policy.

Financial Implications: The service review proposals would result in a slight increase in the revenue budget and this will be managed within the service, through recharges to capital or the HRA to deliver the Affordable Housing Programme.

This does not allow for one off costs of £78,184 of which £46,427 results from early release of pension on those posts which redundancy may apply, together with the cost of redundancy of £31,757. The cost would be financed from the Service Pressure Reserve.

This is the worst-case scenario assuming alternative employment cannot be secured and in the event, this will be managed in accordance with Managing Redundancy and Organisational Change Policy of the Council.

Legal Implications: The proposals are being implemented in accordance with human resource policies and procedure. Risks are identified within the report. There are no strategic risks. The changes are in accordance with the council's Managing Redundancy and Organisational Change Policy.

Equalities Impact Assessment: There are no negative impacts on people with protected characteristics resulting from implementing these proposals. Affected employees have been invited to comment on the proposals as part of the consultation process.

Equality Impact Assessment attached.

Other Material Implications: The proposals have staffing implications that are outlined within the report attached JCC report. There are no other material implications.

Background Papers: JCC report and minutes of 27th September 2019.

Exemption Clauses: Exempt Appendix containing full termination costs
Not for Publication by virtue of Paragraph 1 and 2 Part 1 of Schedule 12A of the Local Government Act 1972.

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EXEMPT APPENDIX
NOT FOR PUBLICATION by virtue of Paragraphs
1 and 2 of Part 1 of Schedule 12A of the
Local Government Act 1972 namely:

Paragraph 1: Information relating to any individual

Paragraph 2: Information, which is likely to reveal the identity of an individual

TERMINATION COSTS – POST NUMBER’S 5037 AND 3139

Post Number	5037	3139	Total
Redundancy cost	£18,474	£13,283	£31,757
Pension costs	£14,647	£31,780	£46,427
Total	<u>£33,121</u>	<u>£45,063</u>	<u>£78,184</u>

The Council’s Retirement, Redundancy and Discretionary Compensation Policy sets out thresholds at which approval must be referred to full Council. In accordance with Government recommended practice, this is currently £100,000. The redundancy cost does not therefore require full Council approval. Where the total capital cost is below the threshold the Chief Executive, after consultation with Leader, Portfolio Holder and Management Team, has delegated authority to approve.

The Council’s policy on the application of pension scheme discretions is that all costs associated with early release of pension benefits must be approved by Council.

Equality Impact Assessment

1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation;
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it (ie tackling prejudice and promoting understanding between people from different groups).

3. These are known as the three aims of the general equality duty.

Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership*
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

Due regard

5. Having 'due regard' is about using good equality information and analysis at the right time as part of decision-making procedures.
6. To 'have due regard' means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:
- removing or minimising disadvantages suffered by people due to their protected characteristics.
 - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
 - encouraging people with certain protected characteristics to participate in public life or in other activities where it is disproportionately low.

7. How much regard is 'due' will depend on the circumstances. The greater the

potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.

8. In terms of timing:

- Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
- Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
- The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.

Armed Forces Community

9. As part of the council's commitment to the Armed Forces Community made through the signing of the Armed Forces Covenant the council's Cabinet agreed in November 2017 that potential impacts on the Armed Forces Community should be considered as part of the Equality Impact Assessment process.

10. Accordingly, due regard should also be had throughout the decision making process to potential impacts on the groups covered by the Armed Forces Covenant:

- Current serving members of the Armed Forces (both Regular and Reserve)
- Former serving members of the Armed Forces (both Regular and Reserve)
- The families of current and former Armed Forces personnel.

Case law principles

11. A number of principles have been established by the courts in relation to the equality duty and due regard:

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one so that it needs to be considered not only when a policy, for example, is being developed and agreed but also when it is implemented.
- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or

service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

Lead officer:	Paul Mckenner
Decision maker:	Cabinet and Council
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	Proposed review of Corporate Property and Projects Service.
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	October 2019
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	Proposed new structure of Corporate Property and Projects service, including changes to terms and conditions of employment and potential deletion of posts.
Information and research: <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	Initial informal Consultation
Consultation: <ul style="list-style-type: none"> • What specific consultation has occurred on this decision? • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? • What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics? 	<p>Consultation was undertaken as detailed above which result in the content of the report.</p> <p>The policy document complies with UK employment law and our Conditions of Service.</p>

Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

When assessing relevance and impact, make it clear who the assessment applies to within the protected characteristic category. For example, a decision may have high relevance for young people but low relevance for older people; it may have a positive impact on women but a neutral impact on men.

Protected characteristic	Relevance to Decision High/Medium/Low/None	Impact of Decision Positive (Major/Minor) Negative (Major/Minor) Neutral
<u>AGE</u> Elderly	None	Neutral
Middle age	None	Neutral
Young adult	None	Neutral
Children	None	Neutral
<u>DISABILITY</u> Physical	None	Neutral
Mental	None	Neutral
Sensory	None	Neutral
<u>GENDER RE- ASSIGNMENT</u>	None	Neutral
<u>MARRIAGE/CIVIL PARTNERSHIP</u>	None	Neutral
<u>PREGNANCY/MATERNITY</u>	None	Neutral
<u>RACE</u>	None	Neutral
<u>RELIGION OR BELIEF</u>	None	Neutral
<u>SEX</u> Men	None	Neutral
Women	None	Neutral
<u>SEXUAL ORIENTATION</u>	None	Neutral

<u>ARMED FORCES COMMUNITY</u> Regular/Reserve personnel	n/a	n/a
Former service personnel	n/a	n/a
Service families	n/a	n/a

Mitigating negative impact: Where any negative impact has been identified, outline the measures taken to mitigate against it.	None
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Is the decision relevant to the aims of the equality duty?	
Guidance on the aims can be found in the EHRC's Essential Guide , alongside fuller PSED Technical Guidance .	
Aim	Yes / No / N/A
1) Eliminate discrimination, harassment and victimisation	n/a
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	n/a
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	n/a

Conclusion: <ul style="list-style-type: none"> Consider how due regard has been had to the equality duty, from start to finish. There should be no unlawful discrimination arising from the decision (see guidance above). Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified. 	<p>Due regard has been paid to equality through the drafting of documentation by qualified HR professionals trained in equality issues and review of relevant case law.</p> <p>Via consultation with affected employees</p>
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<ul style="list-style-type: none">• How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported?	
EIA completion date:	9 th August 2019

Agenda Item No:

Report To: Joint Consultative Committee

Date: 27th September 2019

Report Title: Corporate Property & Projects - Service Changes

Report Author: Paul Mckenner, Head of Property & Projects

Portfolio Holder: Cllr. Paul Clokie, Regeneration and Corporate Property Portfolio Holder

Summary: **The purpose of this report is to enable JCC to consider and give advice upon proposals that have staffing implications of a material nature in regard to the Corporate Property & Projects service.**

Key Decision: No

Significantly Affected Wards: Not applicable

Recommendations: **That JCC considers and give advice upon the proposals contained within the report.**

Policy Overview: The proposals will support the service in delivering both the current Council's corporate plan and its development and in particular the underlying principles.

Managing Restructure, Redundancy and Organisational Change policy.

Financial Implications: See report section 7.

Legal Implications: The proposals are being implemented in accordance with human resource policies and procedure. Risks are identified within the report. There are no strategic risks. The changes are in accordance with the council's Managing Redundancy and Organisational Change Policy.

Equalities Impact Assessment: There are no negative impacts on people with protected characteristics resulting from implementing these proposals. Affected staff have been invited to comment on the proposals as part of the consultation process.

Other Material Implications: The proposals have staffing implications which are outlined within the report. There are no other material implications.

Background Papers: None

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1.0 Introduction and Background

- 1.1 This paper sets out proposals for the modernisation of the Corporate Property and Project's Service to enable it to deliver an effective service to match the Council's ambitions. There is a demanding requirement to deliver substantial revenue income streams to support the Council's medium term financial plan. This requirement is coupled with the continuation of the Council's ambitious delivery of a number of key corporate and service projects. Finally the service is charged with looking after the assets in the Council's ownership. These factors represent a significant step-change in the demands now placed on the Corporate Property and Project's Service as such we need to respond to these.
- 1.2 The Corporate Peer Review identified the need to ensure that resource allocations are aligned, operate within a structured framework to facilitate project delivery. This needs to be considered in the context of the Council's open outlook to income generation with good levels of risk assessment and business case evaluation before commitments are made.
- 1.3 Income generation has become increasingly important to support the revenue budget, meeting the Council's aim to be financially self-sufficient. All of which needs to be reflected in how the service is resourced and skilled to respond to the challenges ahead.
- 1.4 The Corporate Property and Project's Service has, in recent times balanced the competing demands and keep pace with an ambitious corporate delivery plan whilst, at the same time, managing the day-to-day activity of an increasing portfolio. The service also has additional responsibility for other assets that were previously managed by the services themselves. These assets are substantial in number and require a varying degree of management and maintenance for which the resource does not currently exist.
- 1.5 The Council has engaged in a number of major property acquisitions over recent years such as Elwick Place, Park Mall and International House. These are complex and require specialised support, which was previously outside the normal remit of a traditional local authority property services team.
- 1.6 This report proposes a number of staffing changes within the Corporate Property & Projects service. The proposals affect several areas of the service and are described area by area. The changes range in terms of scale and impact. They will be the subject of varying consultation processes, and have a range of implementation timetables. While not all the changes are of a material nature or necessitate JCC review, there are some that have a significant impact on individuals requiring consideration by Cabinet and Council.

2.0 Rationale for Change

- 2.1 The vision for the Corporate Property & Projects Service is to deliver a professional support service for the wider objectives of Ashford Borough Council. Aligning the service plan with the overall corporate plan and equally that of the medium term financial plan of the Council.
- 2.2 One of the main key priorities of the service will be to ensure the Council is meeting statutory compliance obligations that would otherwise put us at risk, an area where more thorough monitoring is required, feeding into corporate KPI's and aligning with renewed policy & procedure.
- 2.3 There is a drive to generate additional income, this will be derived from better understanding of our assets through condition surveys and other methods of investigation. This will lead to a more planned approach and “sweating” of our assets where required to better control and predict expenditure and manage our income more efficiently.
- 2.4 The key service functions necessary to do this will be:
- Commission services;
 - Professional and responsive valuation service;
 - Robust lease and tenant management service;
 - Ability to carry out detailed and complex appraisals of investment options;
 - Provide an efficient effective service for our customers – which will involve digital transformation, to improve business processes;
 - Professional;
 - Managing risk for ABC in ensuring on-going monitored property asset compliance;
 - Enhancing Property & Projects identity as a service throughout the organisation;
 - Cross-cutting ways of working throughout the service as well as good communication within the service and wider organisation;
 - Clearly defined roles and responsibilities within teams creating a clear accountability and sense of responsibility. Specific focus can then be achieved on key areas such as property management (landlord/tenant), soft Facilities Management hard Facilities Management, programming & procurement, project delivery, compliance, etc.;
 - A hierarchical structure that allows for resilience within the service.
- 2.5 The key outcomes for the authority that this will achieve will be:
- A planned but effective, responsive service;
 - Compliance with statutory requirements, leading to a reduction of risk;
 - Lower Voids/Higher Rents;
 - An effective and fit for purpose structure that encourages and supports decision making at the right level.

3.0 Proposals and Changes

The proposals and changes mentioned below are based on the proposed structure chart as per **Appendix 1**. The existing structure is attached at **Appendix 2**.

3.1 Corporate Property & Projects

- 3.1.1 The Head of Corporate Property & Projects (post no 3133) has been heavily involved in the delivery of a large number of key Corporate Projects and equally his involvement in the day to day operational activities has been considerable. The proposed changes to the structure will provide the Head of Service with the capacity to play an ever-increasing important role in horizon scanning for future development and commercial opportunities for the Council as well as lead the service to respond to the challenges facing the service now and in the future.
- 3.1.2 In order to facilitate this, there is the need to realign the service to meet the needs of the service and the management structure thereof.
- 3.1.3 The existing Property & Asset Manager (post no 6404) will have some changes to the post and title will change to Deputy Head of Corporate Property & Projects.
- 3.1.4 The post will become the nominated deputy to the Head of Service as well as having managers reporting to it, flattening the management structure. The core services relating to property building services, estates and facilities posts are considerable on the proposed structure and therefore it is proposed a deputy post is created. All existing reporting lines to the Head of Service would remain as current. Managers will be asked to attend meetings in his absence, which are relevant to their departmental areas.

Summary of proposed changes pre-consultation:

Head of Corporate Property & Projects (post no 3133) – no change

Property & Asset Manager (post no 6404) – change in job title to Deputy Head of Corporate Property & Projects

Summary of proposed changes post-consultation:

Head of Corporate Property & Projects (post no 3133) – no change

Property & Asset Manager (post no 6404) – change in job title to Deputy Head of Corporate Property & Projects

3.2 Procurement & Contract Management

3.2.1 There are three posts within the team, which covers the functions:

- Corporate procurement;
- Contract management;
- Corporate income management (incomes derived are now in excess of £4million).

3.2.2 Following a detailed review of contract management and extensive analysis of spend and supplier information, it was concluded that a number of recommendations were necessary. It was recognised that there was a need to organise and manage contracts differently from a compliance perspective and also to identify improvement opportunities through better performing contracts and reduced cost, including challenging some existing custom and practice. This resulted in the appointment of a new created post of a Contract Officer (post no 6417).

3.2.3 The challenge for the new post holder is to develop a Contract Management Strategy, providing a balanced approach that reflects the difference between large contracts, one off projects and other contracts to be procured and managed on an ongoing basis.

3.2.4 This also reflects that some contracts will be managed by individual services when they are specific to that service and others where there are common requirements across different services.

3.2.5 The precedent for the appointment of the Contract Officer (post no 6417) has been the introduction of a Procurement and Support Manager (post no 6000). The post plays an important part of a corporate resource that is required by the organisation. The resource is highly valued by colleagues to consult with and seek professional advice and to involve in tenders and procurement processes as and when required.

3.2.6 Following the aforementioned change, the management and operational responsibilities of the Procurement and Support Manager (post no 6000) have been amended to reflect the change in emphasis in contract management.

3.2.7 These changes have resulted in the post of Procurement and Support Manager (post no 6000) being changed to the post of the Procurement and Contract Manager (post no 6000).

3.2.8 The post holder will have:

- New responsibility for managing higher level member engagement, via the Contracts Officer;
- New responsibility to manage the contract management function throughout the authority including contract monitoring process;
- To ensure that colleagues now receive contract management advice and support, in addition to procurement;
- Providing strategic direction to the authority's contract management policy, in addition to existing procurement policy;
- Responsibility for managing support staff who deal with procurement support.

- 3.2.9 After a review of the management responsibilities, the post's grade has changed from MG7/8 to MG6 with the requirement for a formal CIPS qualification.
- 3.2.10 The post of Contract Officer (post no 6417) has remained unchanged since the appointment to post last year. The responsibilities of the post holder will be reviewed once the post holder has embedded a new culture of contract management in to the organisation.
- 3.2.11 A review of the technical and administrative work undertaken by the Special Project Coordinator (post no 3139) has indicated that the requirements of the service have changed from technical to administrative accountabilities. It is therefore proposed that the post is deleted from the establishment due to diminution of work.
- 3.2.12 A new post of Procurement & Support Assistant (new post) has been created with a focus on administrative as opposed to technical accountabilities, which is reflected in the grade of the post.

Summary of proposed changes pre-consultation:

Procurement & Support Manager (post no 6000) – change in job title to Procurement & Contract Manager and increase in grade to MG6

Contract Officer (post no 6417) – no change

Special Projects Coordinator (post no 3139) – proposal to delete post from the establishment

Procurement & Support Assistant (new post) SCP 24-27 – new post

Summary of proposed changes post-consultation:

Procurement & Support Manager (post no 6000) – change in job title to Procurement & Contract Manager, changes to proposed JD including a career grade which reflects the criteria for increase of grade from MG7 to MG6.

Contract Officer (post no 6417) – no change

Special Projects Coordinator (post no 3139) – proposal to delete post from the establishment

Procurement & Support Assistant (new post) SCP 24-27 – new post. Minor changes made to proposed JD.

3.3 Commercial Development & Regeneration

- 3.3.1 The post of Senior Commercial Development and Regeneration Manager (post no 6106), currently has the post of Commercial and Development Officer (post no 6258) reporting to the post holder and in turn the post of Garage Officer (post no 6336) reporting to this post. No direct reports are proposed; this will allow the post holder to focus on the delivery of a number of key complex corporate projects, which will deliver both regeneration and financial benefits. This particular post will assist the Head of Service in delivering key financial returns to support the Medium Term Financial Plan and will work on their own project portfolio. The post holder will be supported by other members of the team when required to ensure the deliverables are met on time and to budget. The JD has been revised to reflect this change and following evaluation of the revised JD the grade of the post remains unchanged at MG5.
- 3.3.2 It is proposed that the post of the former Commercial Development and Regeneration Officer (post no 6258) is deleted from the establishment due to diminution of work. The requirements will radically change. It was originally intended that this post would move from regeneration-oriented outcomes to managing the Council's growing portfolio of commercial assets, which derive an income stream to the Council. There will be a cessation in terms of the direct development and regeneration aspects. It is therefore proposed that a new post is created to focus on the Facilities Management & Property Management aspects, covered under section 3.5 of this report.
- 3.3.3 The post of the Garage Officer (post no 6336) will be renamed Garage & Compliance Officer (post no 6336). The Garage & Compliance Officer (post no 6336) will report to a new post of Senior Commercial Estates Officer (new post) under the Estates & Facilities team. The rationale for this is further explained within the section of Estates and Facilities. The compliance focus will be on matters such as effectively maintaining the asbestos register and collation of statutory compliance property information that will be reported corporately via corporate KPI's.

Summary of proposed changes pre-consultation:

Senior Commercial Development & Regeneration Manager (post no 6106) – no line management responsibilities under new structure

Commercial Development & Regeneration Officer (post no 6258) – proposal to delete post from the establishment.

Garage Officer (post no 6336) – change of job title to Garage & Compliance Officer (post no 6336), change of line manager and increase in grade to SCP 24-27

Summary of proposed changes post-consultation:

Senior Commercial Development & Regeneration Manager (post no 6106) – line management responsibility for the proposed Garage & Compliance Officer (post no 6336). This will place greater emphasis on the delivery of the Garage Commercialisation Strategy and the digital transformation for the service. Change of job title to Commercial Development & Regeneration Manager.

Commercial Development & Regeneration Officer (post no 6258) – proposal to delete post from the establishment.

Garage Officer (post no 6336) – change of job title to Garage & Compliance Officer (post no 6336), line management responsibility changed to Commercial Development & Regeneration Manager and increase in grade to SCP 24-27.

3.4 Property Building Services

3.4.1 The Property Building Services area will undertake:

- Planned maintenance;
- Day to day maintenance;
- Hard FM.

3.4.2 Reporting direct to the Deputy Head of Property & Projects (post no 6404) is the post of Property Building Services Manager (post no 5066). The current Property Building Services Manager (post no 5066) will have two direct reports as opposed to currently having four direct reports. These two direct reports are the Senior Mechanical Electrical Surveyor (post no 6177) and the Senior Property & Development Surveyor (post no 6100).

3.4.3 Under the Senior Mechanical and Electrical Surveyor (post no 6177) are the posts of a Building Maintenance & Energy Officer (new post) and a Technical Inspection Officer (post no 5133).

3.3.4 Under the Senior Property and Development Surveyor (post no 6100) are the posts of an Asset Surveyor (post no 6315) and a Building Services Technician will be made full time post (1.00 FTE) as opposed to currently being part time (0.4FTE) (post 6052).

3.3.5 The proposals will enhance resilience amongst managers, enabling the delivery of planned, reactive property maintenance & “hard Facilities Management” services.

3.3.6 The Property Building Services Manager (post no 5066) will be made a full time post (1.0 FTE) as opposed to currently being part-time (0.6 FTE). This is required to effectively manage the requirements of the position.

Summary of proposed changes pre-consultation:

Property Building Services Manager (post no 5066) – line management of 2 senior posts, increase in grade to MG6 and increase in establishment to 1.0 FTE

Senior Mechanical & Electrical Surveyor (post no 6177) – minor changes to JD and line management of 2 posts

Property & Development Surveyor (post no 6100) – change in job title to Senior Property & Development Surveyor. Line management of 2 posts and increase in grade to MG8.

Building Services Technician (post no 6052) – post currently part time and is increased increase to 1.0 FTE and is currently vacant.

Corporate Property Technical Officer (post no 5153) – change in job title to Technical Inspection Officer (post no 5153) in keeping with the role specifics and to avoid confusion with the Corporate Property Technical Assistant

Building Maintenance & Energy Officer (new post) SCP 30-33 – new post

Asset Surveyor (post no 6315) – change in line management from the Project Delivery Engineer (post no 6131) to the Senior Property & Development Surveyor (post no 6100)

Summary of proposed changes post-consultation:

Property Building Services Manager (post no 5066) – line management of 2 senior posts, increase in grade to MG6 and increase in establishment to 1.0 FTE

Senior Mechanical & Electrical Surveyor (post no 6177) – changes to JD including deputising for the Property Building Services Manager (post no 5066), line management of 2 posts and changes to the person spec.

Property & Development Surveyor (post no 6100) – change in job title to Senior Property & Development Surveyor. Line management of 2 posts and increase in grade to MG8. Changes to JD which include deputising for the Property Building Services Manager (post no 5066) and changes to the person spec.

Building Services Technician (post no 6052) – post currently part time and is increased to 1.0 FTE and is currently vacant.

Corporate Property Technical Officer (post no 5153) – retention of current job title to reflect the nature of the role. Changes to JD, re-evaluation and increase in grade from SCP 28-31 from SCP 26-29.

Building Maintenance & Energy Officer (new post) SCP 30-33 – no change

Asset Surveyor (post no 6315) – change in line management from the Project Delivery Engineer (post no 6131) to the Senior Property & Development Surveyor (post no 6100)

3.5 Estates & Facilities

3.5.1 The Estates & Facilities area will undertake:

- Landlord/tenant engagement, valuations;
- Lease agreements;
- Renting of units & soft Facilities Management.

3.5.2 In addition, the team will advise on the correct areas of property investment to lead to a planned growth in portfolio, to give a mixture of positive cash flow and capital growth.

3.5.3 A more focused and planned approach to this work can be achieved by separating the landlord property management aspect from the Property Building Services team delivering the hard Facilities Management service.

3.5.4 Bringing the soft Facilities Management under an estates and facilities area aligns with current facilities management providers we use in terms of outsourcing, such as International House and those we use in-house, such as for the Civic Centre.

3.5.5 The in-house facilities team will move from the Housing service to the Property & Projects service. The proposed structure will allow an improved corporate approach to corporate property as it aligns with the service provision on all aspects of facilities management. This allows for an improved use of the resources and existing knowledge within the two teams.

3.5.6 The Housing Operations Manager Property & Technology (post no 6074) will therefore no longer manage the Facilities function.

3.5.7 Reporting directly to the Deputy Head of Property & Projects (post no 6404) will be a new post of an Estates & Facilities Manager (new post). This post will be introduced to improve the management of property leased to third parties.

3.5.8 A new post of Senior Commercial Estates Officer (new post) will be created. This will address the lack of dedicated resource in property management aspects such as agreeing leases and looking at sales and acquisitions. This links to the need to 'sweat' our assets and better establish an income from a commercial outlook. Part of the work of this post is currently performed by Canterbury City Council and will therefore be brought in house.

3.5.9 The Garage and Compliance Officer (post no 6336) will report to the Senior Commercial Estates Officer (new post) together with the Corporate Property Technical Assistant (post no 6420). This effectively forms an 'estates' team focused on the management of assets encompassing the landlord tenant engagement, lease agreements in one place and better informing our future asset management approach.

3.5.10 There is a need to avoid duplication and overlaps between the current managerial and supervisory roles in the Facilities structure. The proposal is for the post of Building Facilities Officer (post no 5039) to be deleted from the establishment with the "hard FM" aspects of this post absorbed into the new post of Building Maintenance & Energy Officer (new post). This particular post will greatly assist in reducing both carbon and energy reduction and its impact on climate change. All of

which are increasingly corporately important.

- 3.5.11 It is proposed that the post of Facilities Team Leader (post no 5039) is deleted from the establishment with some activities currently carried out by the existing post holder moving to the new post of Senior Facilities Supervisor (new post).
- 3.5.12 The Senior Facilities Supervisor (new post) is an amalgam of some of the activities currently carried out by the Building Facilities Officer and by the Facilities Team Leader (post no 5039) with this reflected in the grade of SCP 26-29.
- 3.5.13 The Senior Facilities Supervisor (new post) will report to the Estates and Facilities Manager (new post). The team under the Senior Facilities Supervisor (new post) remains largely unchanged with the exception of the Cleaning Supervisor (post no 0083).
- 3.5.14 It is proposed that the post of Cleaning Supervisor (post no 0083) is deleted from the establishment to reflect the need for a flatter structure and remove the duplication currently in place with regard to the supervision of cleaning.
- 3.5.15 There is a new Facilities Assistant post (new post) which will improve resilience in the Facilities team.
- 3.5.16 The Council currently procures its valuation service from Canterbury City Council. The proposal is that this work will be brought in-house within the new structure and with the appropriate skill set as described in the revised JD's. Should the proposed structure be agreed it is envisaged that notice would be given to Canterbury City Council in October following Cabinet authority and would be implemented by the end of the financial year. The current arrangements can be terminated at any time.

Summary of proposed changes pre-consultation

Estates & Facilities Manager (new post) MG6 – new post

Senior Commercial Estates Officer (new post) MG7 – new post

Garage Officer (post no 6336) – change of job title to Garage & Compliance Officer (post no 6336), change of line manager and increase in grade to SCP 24-27

Corporate Property Technical Assistant (post no 6420) – change in line management from Property & Asset Manager (post no 6404) to Senior Commercial Estates Officer (new post)

Housing Operations Manager Property & Technology (post no 6074) – change in JD to reflect management of Facilities moving service area

Senior Facilities Supervisor (new post) SCP 26-29 – new post

Facilities Assistant (post no.'s 6242 & 6230-vacancy) – movement of service from Housing to Corporate Property & Projects, change in line management to Senior Facilities Supervisor and minor changes to JDs

Facilities Assistant (new post) SCP 12-15 – new post

Office Cleaner (post no's 0084, 0082) – movement of service from Housing to Corporate Property & Projects, change in line management to Senior Facilities Supervisor and minor changes to JDs

Commercial Development & Regeneration Officer (post 6258) – proposal to delete post from the establishment.

Building Facilities Officer (post no 5037) – proposal to delete post from the establishment.

Facilities Team Leader (post no 5039) – proposal to delete post from the establishment

Cleaning Supervisor (post no 0083) – proposal to delete post from the establishment

Summary of proposed changes post-consultation

Estates & Facilities Manager (new post) MG6 – new post

Senior Commercial Estates Officer (new post) MG7 – new post. Changes to proposed JD to reflect line management of proposed Garage & Compliance Officer moving to Commercial Development & Regeneration Manager.

Garage Officer (post no 6336) – change of job title to Garage & Compliance Officer (post no 6336), change of line manager and increase in grade to SCP 24-27. Reporting line changed to Commercial Development and Regeneration Manager (post 6106)

Corporate Property Technical Assistant (post no 6420) – change in line management from Property & Asset Manager (post no 6404) to Senior Commercial Estates Officer (new post). Minor changes made to JD.

Housing Operations Manager Property & Technology (post no 6074) – change in JD to reflect management of Facilities moving service area

Senior Facilities Supervisor (new post) SCP 26-29 – new post. Changes to proposed JD.

Facilities Assistant (post no.'s 6242 & 6230-vacancy) – movement of service from Housing to Corporate Property & Projects, change in line management to Senior Facilities Supervisor and minor changes to JDs

Facilities Assistant (new post) SCP 12-15 – deletion of proposed new post (replaced with new post of Office Cleaner).

Office Cleaner (post no's 0084, 0082) – movement of service from Housing to Corporate Property & Projects, change in line management to Senior Facilities Supervisor and minor changes to JD's. Additional post of Office Cleaner.

Commercial Development & Regeneration Officer (post 6258) – proposal to delete post from the establishment.

Building Facilities Officer (post no 5037) – proposal to delete post from the establishment.

Facilities Team Leader (post no 5039) – proposal to delete post from the establishment.

3.6 Project Delivery

- 3.6.1 The Project Delivery team will focus on capital projects assigned to the team. These will be from projects decided under PIDs approved by Management Team with a defined client agreed and to an agreed budget. The focus will be on non-housing development, regeneration & planned capital works. The Housing Development & Regeneration team has successfully appointed Employers Agents for approximately ten years to work alongside the officer team on the delivery of the Council's Housing Development Plan. In doing so this provides additional flexibility and resource capacity to be utilised in delivering high quality deliverables without the need to be involved in the day to day details of development. With strong client managers in place within the service, this is a function which is to commence with the delivery of the new Multi Storey Car Park. Similarly, this is the case in relation to Vicarage Lane and other large capital projects, for which it is proposed that an Employers Agent is appointed.
- 3.6.2 The appointment of an Employers Agent typically works for larger contracts in excess of £1m and enables the Council to 'de-risk' the deliverable and free off capacity for other council commitments.
- 3.6.3 It is proposed the post of Project Delivery Manager (post no 6180) continues as the manager of the team and post title remains unchanged. There are no proposed amendments to the JD.
- 3.6.4 The Project Delivery Quantity Surveyor (post no 5068) changes to a Senior Project Manager (Quantity Surveyor) (post no 5068), as there is more of a demand for project management as opposed to quantity surveying. If necessary, consultants can be brought in on various projects as this need fluctuates, the role within the team being for project managers to oversee these consultants.
- 3.6.5 There is no change to the Senior Architectural / CDM Technician post (post no 5087).
- 3.6.6 The Project Delivery Engineer (post no 6131) will have no line management responsibilities as the Asset Surveyor (post no 6315) moves to the Property Building Services area to better integrate into asset surveys and the delivery of "hard facilities management".

Summary of proposed changes pre-consultation

Project Delivery Manager (post no 6180) – Asset Surveyor (post no 6315) to transfer to Property Building Services

Project Delivery Quantity Surveyor (post no 5068) – change of job title to Senior Project Manager (Quantity Surveyor)

Senior Architectural / CDM Technician (post no 5087) – no change

Project Delivery Engineer (post no 6131) – line management of Asset Surveyor (post no 6315) to transfer to Senior Property & Development Surveyor (post no 6100)

Asset Surveyor (post no 6315) – move in line management from Project Delivery Engineer (post no 6131) to Senior Property & Development Surveyor (post no 6100)

Summary of proposed changes post-consultation

Project Delivery Manager (post no 6180) – Asset Surveyor (post no 6315) to transfer to Property Building Services

Project Delivery Quantity Surveyor (post no 5068) – change of job title to Senior Project Manager (Quantity Surveyor) – amendments to JD. Consultation is ongoing in relation to the proposed person spec and evaluation of the role. An update will be reported at the meeting as appropriate.

Senior Architectural / CDM Technician (post no 5087) – no change

Project Delivery Engineer (post no 6131) – line management of Asset Surveyor (post no 6315) to transfer to Senior Property & Development Surveyor (post no 6100) - no change

Asset Surveyor (post no 6315) – move in line management from Project Delivery Engineer (post no 6131) to Senior Property & Development Surveyor (post no 6100). Minor changes to proposed JD.

3.7 Housing Development & Regeneration

3.7.1 The Housing Development & Regeneration team concentrates on the capital delivery of development & regeneration delivery for Housing as the client. The works focused on are primarily Housing Revenue Account (HRA) and section 106 funded projects. Since the recent change to the amount of debt the HRA can hold, there has been the necessity to both accelerate housing developments and consider alternative ways of delivery. Supported by the Head of Housing Services this has necessitated the need to increase the establishment with a further Development Surveyor (new post) with an emphasis on programme management. In doing so this would free up capacity for the Housing Development & Regeneration Manager (post no 3213) to manage both an expansive programme and new ways of working.

3.7.2 Further changes proposed are:

- The Development & Regeneration Manager (post no 3213) has a change in job title to Housing Development & Regeneration Manager (post no 3213).
- There is no change to the Planning & Development Surveyor (post no 3126), Development Surveyor (post no 6264) and Business Support Officer (post no 6405).
- The Development & Regeneration Officer (post no 3128) post changes to Architect (post no 3128). This change reflects the nature of the post currently out by the post holder now and in the future. The proposal is for the post holder to deputise for the Housing Development and Regeneration Manager (post no 3213) in their absence on all matters relating to the Housing Delivery Programme. This will provide a greater continuity of service to the Head of Housing Service, which will enable effective communication to facilitate an expansive Housing Delivery Plan.
- Additional post of Development Surveyor is required to keep pace with the ever-increasing demands upon the team to accelerate the housing development programme.

Summary of proposed changes pre-consultation:

Development & Regeneration Manager (post no 3213) – change in job title to Housing Development & Regeneration Manager (post no 3213). Additional post of Development Surveyor in team

Planning & Development Surveyor (post no 3126) – no change

Development & Regeneration Officer (post no 3128) – change in job title to Architect (post no 3128) and increase in grade to MG7

Development Surveyor (post no 6264) – no change

Business Support Officer (post no 6405) – no change

Development Surveyor (new post) MG8 – new post

Summary of proposed changes post-consultation:

Development & Regeneration Manager (post no 3213) – change in job title to Housing Development & Regeneration Manager (post no 3213). Additional post of Development Surveyor in team

Planning & Development Surveyor (post no 3126) – no change

Development & Regeneration Officer (post no 3128) – change in job title to Architect (post no 3128) and increase in grade to MG7. Minor amendments to proposed JD.

Development Surveyor (post no 6264) – no change

Business Support Officer (post no 6405) – no change

Development Surveyor (new post) MG8 – new post

4.0 Staffing Implications

4.1 Headcount

4.1.1 The total headcount for the Service is increasing by 2. It is proposed that 5 existing posts will be deleted from the establishment requiring the post holders to be put at risk of redundancy. However it is considered that there is a redeployment opportunity for all of these staff in terms of the new posts in the revised structure.

4.2 Groupings

4.2.1 Staff have been placed into groups to determine the consultation pathway that needs to be followed as illustrated below.

Group	Impact	Post Numbers
1	Post significantly affected: proposal for deletion of post from establishment	0083, 3139, 5037, 5039, 6258
2	Some proposed contractual changes	0082, 0084, 3128, 3213, 5066, 5068, 5153, 6000, 6074, 6100, 6106, 6131, 6177, 6180, 6242, 6264, 6315, 6336, 6404, 6420
3	Some minor non-contractual changes	3126, 6405, 6417
4	No changes	3133, 5087

4.3 Deleted posts

Team	Post
Commercial Development & Regeneration	Commercial Development & Regeneration Officer (post no 5037)
Facilities	Building Facilities Officer (post no 5037)
	Cleaning Supervisor (post no 0083)
	Facilities Team Leader (post no 5039)
Procurement & Support	Special Projects Co-ordinator (post no 3139)

4.4 New Posts

Team	Job Title	Grade
Estates & Facilities	Estates & Facilities Manager	MG6
	Office Cleaner	SCP 8-11
	Senior Commercial Estates Officer	MG7
	Senior Facilities Supervisor	SCP 26-29
Housing Development & Regeneration	Development Surveyor	MG8
Procurement & Contracts	Procurement & Support Assistant	SCP 24-27
Property Building Services	Building Maintenance & Energy Officer	SCP 30-33

4.5 Additional Increases to the Establishment

Property Building Services Manager from 0.6 FTE to 1.0 FTE.
 Building Services Technician from 0.4 FTE to 1.0 FTE

5.0 Consultation

5.1 Consultation Process

- 5.1.1 As part of the consultation process the consultation paper was formally submitted to Unison and to the JCC Staff Side Representative on 12 August 2019.
- 5.1.2 The consultation paper was sent to the service Portfolio Holder and Deputy on 12 August 2019.
- 5.1.3 Individual meetings were arranged with staff in Group One on 12 August 2019 in order to distribute the consultation paper. Unison were invited to, and attended, the briefings.
- 5.1.4 A managers' briefing was arranged for all managers in Corporate Property & Projects in order to distribute the consultation paper. Unison were invited to, and attended, the briefing.
- 5.1.5 A staff briefing was held for all staff in Corporate Property & Projects and Facilities on 12 August 2019 in order to distribute the consultation paper. Unison were invited to, and attended, the briefing.
- 5.1.6 Arrangements were made to ensure that staff absent due to annual leave had the benefit of a personal briefing on their return to work.
- 5.1.7 After the staff briefing, the full suite of job descriptions was sent to all staff by email together with the current and proposed structure charts. A hard copy was placed in the post room to be accessed by those staff without access to email.
- 5.1.8 After the staff briefing, staff in Group One were notified in writing of their "at risk" status and invited to a formal consultation meeting.
- 5.1.9 After the staff briefing, staff in Group Two were invited to a formal consultation meeting.
- 5.1.10 After the staff briefing staff in Groups Three and Four were invited to comment and advised that they could request a consultation meeting should they wish to do so.
- 5.1.11 Formal consultation meetings commenced from Monday 19 August 2019 with one meeting being held earlier than this date at the request of the staff member to accommodate their annual leave.

5.2 Consultation Meetings

- 5.2.1 A total of 26 consultation meetings were held between Thursday 19 August 2019 and Wednesday 12 September 2019.
- 5.2.2 Four staff had two consultation meetings and one member of staff had three consultation meetings.

5.2.3 Staff were made aware that they had the right to take a trade union representative or workplace companion to consultation meetings. Unison attended consultation meetings as required and took an active role.

5.2.4 Comments were invited up to the date of the JCC meeting, which marks the end of the formal consultation period.

5.3 Consultation Feedback

5.3.1 As at 12 September 2019, a total of 70 queries, suggestions, requests or comments have been received either by email or at consultation meetings.

5.3.2 The queries and feedback ranged from staff requesting a copy of their existing current job description to making suggestions to the proposed structure or job descriptions.

5.3.3 A summary of significant queries, suggestions, request and comments can be found at Appendix 3.

5.3.4 Staff Side submitted feedback requesting clarification in relation to 7 matters in the consultation report on 16 August 2019; a response was sent on 20 August 2019.

5.3.5 As a result of the feedback from the consultation process the following changes were made to the proposals.

Structure	Deletion of the additional Facilities Assistant post and replacement with an additional Office Cleaner post Change of reporting line for the Garage & Compliance Officer (post 6336) from Senior Commercial Estates Officer (new post) to Commercial Development & Regeneration Manager post 6106)
Job title	Technical Inspection Officer to Corporate Property Technical Officer (post 5153) Senior Commercial Development & Regeneration Manager to Commercial Development & Regeneration Manager (post 6106)
Job descriptions: minor changes	Architect (post no 3128) Asset Surveyor (post no 6315) Corporate Property Technical Assistant (post no 6420) Procurement & Support Assistant (new post)
Job descriptions: significant changes not requiring full re-evaluation	Garage & Compliance Officer (post no 6336) Senior Commercial Estates Officer (new post) Senior Facilities Supervisor (new post)

	Senior Mechanical & Electrical Surveyor (post no 6177) Senior Property & Development Surveyor (post no 6100)
Job descriptions: Significant changes requiring full re- evaluation	Commercial Development & Regeneration Manager (post no 6106) Corporate Property Technical Officer (post no 5153) Procurement & Contract Manager (post no 6000)

5.4 Consultation Next Steps

- 5.4.1 Following the JCC meeting the proposals will progress to Cabinet and Council.
- 5.4.2 Subject to the outcome of the consultation process, and following JCC, Cabinet and Council, affected staff will be invited to an additional formal consultation meeting and advised that either the proposals have been declined, amended or accepted in full.
- 5.4.3 If the proposals are declined, affected staff will be advised. They will be invited to a one to one meeting with a representative of HR, for the purpose of reviewing the process that has been followed as part of the proposal and to discuss practical steps that can be taken to assist the individual going forward.
- 5.4.4 If the proposals are amended, affected staff will be advised further and the matter will revert to the appropriate approval committee.
- 5.4.5 If the proposals are accepted affected staff in Group One will be consulted with regarding the selection process for the new posts and vacancies in the structure.
- 5.4.6 Affected staff selected for redundancy, following a consultation process as set out above, will subsequently be served with their notice of termination by reason of redundancy and provided with information regarding their right of appeal against this decision.
- 5.4.7 Any potential terminations of employment, by reason of redundancy, following consultation as set out above are proposed to be communicated from 18 October 2019.
- 5.4.8 If the proposals are accepted, affected staff in Group Two will be advised of any changes to their contractual terms and conditions.
- 5.4.9 If the proposals are accepted, the selection process will commence.
- 5.4.10 There will be a need for a range of effective dates. For example, the movement of the Facilities team could not take place until the new manager, the Estates & Facilities Manager, is in post.
- 5.4.11 A carefully considered implementation plan will be devised, incorporating both individual and team changes. The plan will include training requirements and work movements and, at the operational level, systems access and seating plans.

6.0 Selection for Redundancy Process

- 6.1 Staff in Group One have been consulted in relation to the proposed selection process as detailed below.
- 6.1.1 Authority will be obtained to fill the new posts and existing vacancies in the structure via the “Request to Fill” process and Management Team approval.
- 6.1.2 Those staff in Group One will be invited to advise of their preference:-
- assimilation into one of the new or vacant posts in the structure in accordance with the Managing Redundancy, Restructure and Organisational Change Policy, or
 - to be considered for one of the new or vacant posts in the structure as a suitable alternative, or
 - redundancy
- 6.2 Salary protection and a trial period will be available to any staff in Group One redeployed to an alternative role, in accordance with the Managing Redundancy, Restructures and Organisational Change policy.
- 6.3 In the event that a suitable alternative is not available, affected staff will be consulted with regard to the termination of their employment by reason of redundancy.
- 6.3.1 Affected staff who are selected for redundancy will be served with their notice of termination by reason of redundancy and provided with information regarding their right of appeal against this decision.
- 6.4 Any remaining posts in the structure will be advertised internally in the usual way.

7.0 Budget and Implications Assessment

7.1 The proposals would result in a staff budget of £1,576,102 p.a. (inclusive of on-costs). This represents an uplift in salaries budget from £1,397,517 p.a. to £1,576,102 p.a. As a percentage change this equates to an approximate 13% uplift.

7.2 These costs can be off-set against direct savings that can be made as part of the restructure:

- The cost of the Facilities Assistant cover where 121 Fire and Security are being used to a difference between budget and actual of £18,081 in the last financial year.
- The Council has a commissioned service with Canterbury City Council to provide a valuation service to supplement our own property team. The total cost of the service is estimated to be £75,200 including a retainer of £25,200. Bringing the service in house will result in a direct saving to the Council.
- The proposed changes in the Housing Delivery, team would be fully funded under the HRA budget so can be discounted but would be a pressure to the HRA. The increase here is of £49,188. This is for the funding of an additional MG8 post and an increase from another MG8 to MG7.
- As a consequence of management responsibilities moving from Housing Services to Property Services. This will result in a saving of £30,232 and will result in a cost pressure in the housing revenue account of the same sum.

7.3 Therefore, it is expected that the growth in salary costs will be significantly managed within the service budget. An additional £5,884 to be found as a service pressure and £75,200 potential valuation savings to be reviewed over the period of implementation efficiencies.

	Current costs	Re-structure costs	Change
Staffing revenue (CA83, CL51, KG10, KA50)	£1,397,517 p.a.	£1,576,102 p.a.	£178,585 p.a. uplift
		TOTAL	£178,585 p.a.

	Current savings	Re-structure savings	Change
Potential direct savings (as described above)	£0 p.a.	£75,200 p.a.	£75,200 p.a. savings
Reduction in salary allocation (as described above)	£0 p.a.	£97,501 p.a.	£97,501 p.a.
		TOTAL	£172,701 p.a.
Pressure			£5,884 p.a.

7.4 Details of the additional costs in relation to redundancy and any early release of pension will be presented to Cabinet and Council for authorisation.

8.0 Next Steps in Process

8.1 The key steps are shown below with associated dates.

Date	Key steps
5 August 2019	Issue of draft cabinet agenda for inclusion
12 August 2019	Date to circulate A4 summary to first MT (Management Team)
12 August 2019	Commencement of formal consultation
9 September 2019	Call over, Leader & Portfolio Holder briefing to consider A4 summary
13 September 2019	Dispatch of JCC report
16 September 2019	Date to circulate draft report to MT
19 September 2019	MT report considered
27 September 2019	JCC
28 September 2019	End of formal consultation and staff advised of outcome of JCC
2 October 2019	Despatch of cabinet agenda – final report
7 October 2019	Group leaders
10 October 2019	Cabinet
17 October 2019	Full Council
18 October 2019 onwards	Staff advised of outcome of Cabinet and Council and their own individual position. Assimilation and selection Commencement of notice periods Advertising of any remaining vacancies
1 December 2019 onwards	Implementation

9.0 Conclusion

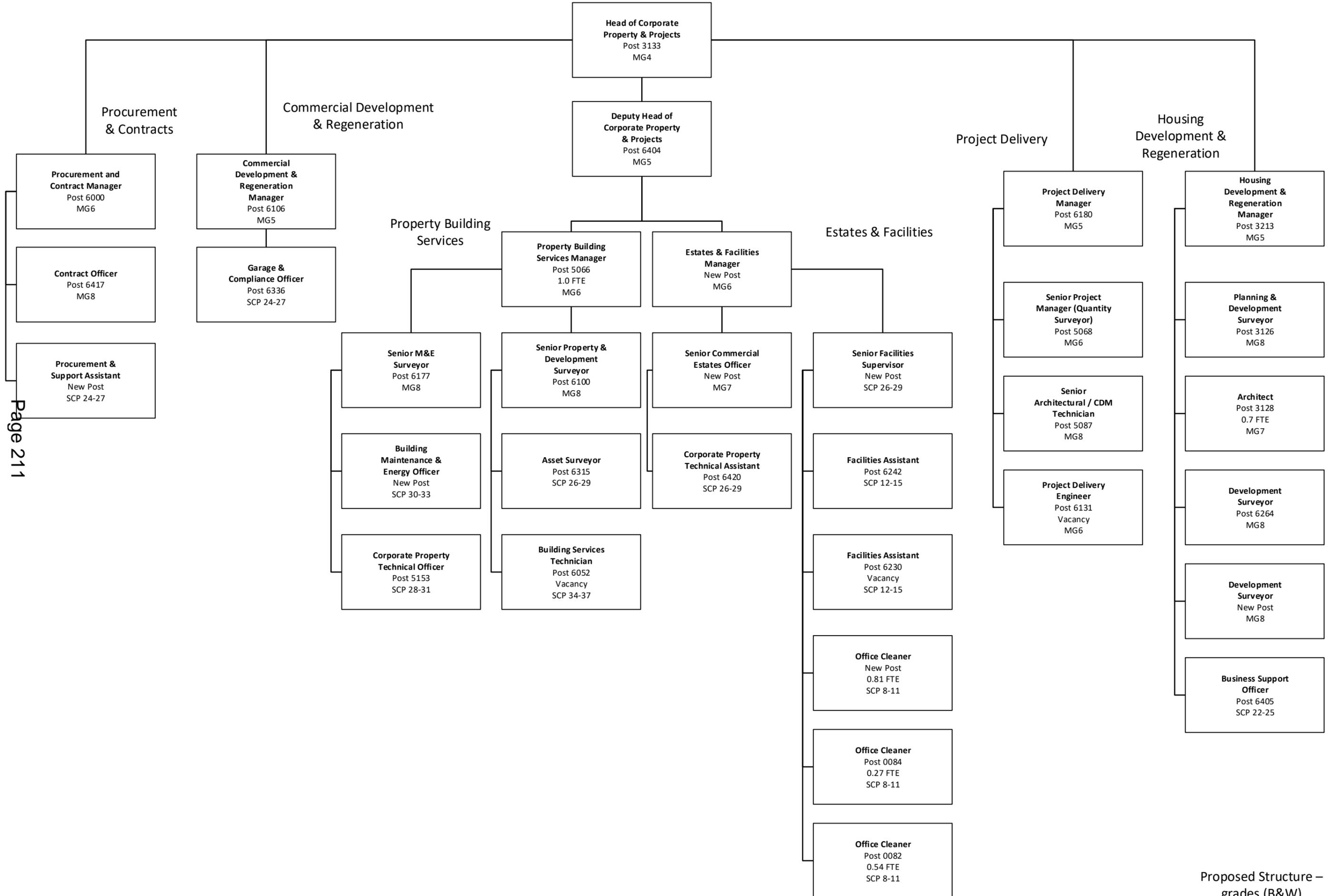
9.1 The above proposal are designed to ensure that staff and skills sets are retained within the Council to continue to provide a comprehensive property and project service, which will enhance and develop its positive reputation with its customers and stakeholders.

9.2 The proposal focuses on improving resilience within the service, not only on a daily basis but also looking forward in responding to the challenges facing local government at times of reducing government grant. This should be a positive outcome for all concerned.

10. Portfolio Holder's and Director's Views

- 10.1 A copy of the report has been provided to the Portfolio Holder prior to the JCC. Feedback is awaited and will be presented to the meeting.
- 10.2 The Director of Finance and Economy supports the proposals which are detailed above, together with those previously made as immediate interventions.

Corporate Property & Projects



Corporate Property & Projects

